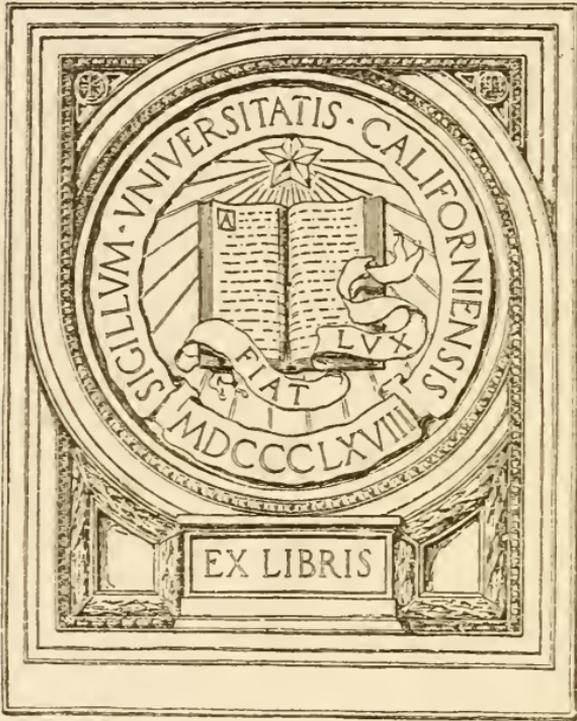


EXCHANGE



EX LIBRIS



Digitized by the Internet Archive
in 2008 with funding from
Microsoft Corporation

Aberdeen University
Studies : No. 52



The Royal Fishery Companies
of the
Seventeenth Century

University of Aberdeen.

COMMITTEE ON PUBLICATIONS.

Convener : Professor JAMES W. H. TRAIL, F.R.S., Curator of the Library.

UNIVERSITY STUDIES.

General Editor : P. J. ANDERSON, LL.B., Librarian to the University.

1900. No. 1.—*Roll of Alumni in Arts of King's College, 1596-1860.* P. J. Anderson.
" No. 2.—*Records of Old Aberdeen, 1157-1891.* A. M. Munro, F.S.A. Scot. Vol. I.
" No. 3.—*Place Names of West Aberdeenshire.* James Macdonald, F.S.A. Scot.
1901. No. 4.—*Family of Burnett of Leys.* George Burnett, LL.D., Lyon King of Arms.
" No. 5.—*Records of Invercauld, 1547-1828.* Rev. J. G. Michie, M.A.
1902. No. 6.—*Rectorial Addresses in the Universities of Aberdeen, 1835-1900.* P. J. Anderson.
" No. 7.—*Albemarle Papers, 1746-48.* Professor C. S. Terry, M.A.
1903. No. 8.—*House of Gordon.* J. M. Bulloch, M.A. Vol. I.
" No. 9.—*Records of Elgin.* William Cramond, LL.D. Vol. I.
1904. No. 10.—*Avogadro and Dalton.* A. N. Meldrum, D.Sc.
" No. 11.—*Records of the Sheriff Court of Aberdeenshire.* David Littlejohn, LL.D. Vol. I.
" No. 12.—*Proceedings of the Anatomical and Anthropological Society, 1902-04.*
1905. No. 13.—*Report on Alcyonaria.* Professor J. Arthur Thomson, M.A., and others.
" No. 14.—*Researches in Organic Chemistry.* Prof. F. R. Japp, F.R.S., and others.
" No. 15.—*Memnisse Juvat : with Appendix of Alakeia.* Alexander Shewan, M.A.
" No. 16.—*Blackhalls of that Ilk and Barra.* Alexander Morison, M.D.
1906. No. 17.—*Records of the Scots Colleges.* Vol. I. P. J. Anderson.
" No. 18.—*Roll of the Graduates, 1860-1900.* Colonel William Johnston, C.B., M.D., LL.D.
" No. 19.—*Studies in the History of the University.* P. J. Anderson and others.
" No. 20.—*Studies in the History and Art of the Eastern Provinces of the Roman Empire.*
Professor Sir W. M. Ramsay, D.C.L., and pupils.
" No. 21.—*Studies in Pathology.* William Bulloch, M.D., and others.
" No. 22.—*Proceedings of the Anatomical and Anthropological Society, 1904-06.*
" No. 23.—*Subject Catalogues of the Science Library and the Law Library.* P. J. Anderson.
" No. 24.—*Records of the Sheriff Court of Aberdeenshire.* David Littlejohn, LL.D. Vol. II.
1907. No. 25.—*Studies on Alcyonarians and Antipatharians.* Prof. Thomson, M.A., and others.
" No. 26.—*Surgical Instruments in Greek and Roman Times.* J. S. Milne, M.A., M.D.
" No. 27.—*Records of the Sheriff Court of Aberdeenshire.* David Littlejohn, LL.D. Vol. III.
" No. 28.—*Flosculi Graeci Boreales. Ser. II.* Professor John Harrower, M.A.
" No. 29.—*Record of the Quatercentenary, 1906.* P. J. Anderson.
" No. 30.—*House of Gordon.* J. M. Bulloch, M.A. Vol. II.
1908. No. 31.—*Miscellany of the New Spalding Club.* Vol. II.
" No. 32.—*Religious Teachers of Greece.* James Adam, Litt.D. (Gifford Lectures, 1904-06.)
" No. 33.—*Science and Philosophy of the Organism.* Hans Driesch, Ph.D. (Giff. Lect., 1907.)
" No. 34.—*Proceedings of the Anatomical and Anthropological Society, 1906-08.*
" No. 35.—*Records of Elgin.* Vol. II. Rev. S. Ree, B.D.
" No. 36.—*Pigmentation Survey of School Children.* J. F. Tocher, B.Sc.
1909. No. 37.—*Science and Philosophy of Organism.* Hans Driesch, Ph.D. Vol. II. (Giff. Lect., 1908.)
" No. 38.—*Studies on Alcyonarians and Hydroids.* Prof. Thomson, M.A., and others. Ser. III.
" No. 39.—*Publications of Scottish Clubs.* Professor C. S. Terry, M.A.
" No. 40.—*Aberdeen Friars : Red, Black, White, Grey.* P. J. Anderson.
" No. 41.—*Studies on Alcyonarians.* Professor Thomson, M.A., and others. Ser. IV.
" No. 42.—*Records of Old Aberdeen.* A. M. Munro. Vol. II.
1910. No. 43.—*Musa Latina Aberdonensis : Poetae Minores.* W. K. Leask, M.A.
" No. 44.—*Bulletins of the Aberdeen and North of Scotland College of Agriculture.* Nos. 1-14.
1911. No. 45.—*Records of Inverness.* W. Mackay and H. C. Boyd. Vol. I.
" No. 46.—*Zoological Studies.* Professor Thomson and others. Ser. V.
" No. 47.—*Subject Catalogue of the Phillips Library.*
" No. 48.—*Zoological Studies.* Professor Thomson and others. Ser. VI.
" No. 49.—*Anacreontic Poetry of Germany.* John Lees, D.Litt.
" No. 50.—*Creeeds and Confessions of Faith.* Professor W. A. Curtis, D.Litt.
" No. 51.—*Aberdeen Alumni at Other Universities.* Part I. Professor J. Harrower, LL.D.
1912. No. 52.—*Royal Fishery Companies.* J. R. Elder, M.A.

The Royal
Fishery Companies
of the
Seventeenth Century

By
John Rawson Elder, M.A.

UNIVERSITY OF
ALBERTA

Aberdeen

Printed for the University

MCMXII

SM 505
E6

THE
LIBRARY
OF THE
CONGRESS

PREFACE

THE distinguishing feature of the commercial development of Britain during the seventeenth century is the entry of the idea of co-operation and unification of effort into national trade, the displacement of the individual by the State-directed company. Throughout the century England assiduously set herself to develop her trade resources, both foreign and domestic, by the establishment of manufactories and companies. Inspired by the efforts of her neighbour and rival, Scotland sought to build up her commerce in a similar fashion.

It was but natural that the directors of these efforts in both countries should at an early period turn their attention to the development of the fisheries. To Scotland, in particular, poor in soil and scanty in resources, the fisheries upon her coasts seemed the one natural source of wealth. Those in both countries who strove to establish a national fishery were the more impelled to effort by the knowledge of the value of her State-controlled fishery to Holland, a nation whose great commercial prosperity had already inspired that spirit of jealous rivalry which was to dominate the foreign policy of Britain until maritime supremacy no longer remained with the Dutch.

Thus, the Royal Fisheries of the seventeenth century represent not only a particular phase of a general commercial development, but also a determined effort to wrest from a

powerful commercial rival a trade which was admittedly her greatest source of wealth. Since the members of the societies for the fishing included both Englishmen and Scotsmen, they represent also, in lesser degree, that growing recognition of the necessity for co-operation between England and Scotland in commercial undertakings which ultimately proved one of the essential factors in the movement for a closer union between the two countries.

The materials for this account of the Royal Fisheries have been found in the University Library, Aberdeen, the Advocates' Library, Edinburgh, the British Museum and the Record Office, London. I here acknowledge gratefully my indebtedness to Mr. P. J. Anderson, Librarian, Aberdeen University, and to his assistants, to Mr. Dickson of the Advocates' Library, and to the authorities and officials in the British Museum and the Record Office. I have to thank Mr. John Clarke, Lecturer in Education in the University of Aberdeen, for calling my attention to certain publications bearing on my subject.

My deepest thanks are due to Professor C. Sanford Terry, of Aberdeen University, who has evinced the greatest interest in my research, and whose kindly advice has throughout been invaluable to me.

Finally, I would express my obligation to the Carnegie Trustees for their generous grant in aid of the publication of this book.

JOHN R. ELDER.

ABERDEEN, *November*, 1911.

CONTENTS

CHAPTER I

	PAGE
THE DUTCH GRAND FISHERY; JAMES I; MARE LIBERUM AND DOMINIUM MARIS - - - - -	1

CHAPTER II

CHARLES I; FISHERIES OFF THE COAST OF BRITAIN - -	24
---	----

CHAPTER III

CHARLES I; THE ASSOCIATION FOR THE FISHING - -	35
--	----

CHAPTER IV

CHARLES I; THE ASSOCIATION FOR THE FISHING; ITS WORK IN THE LEWIS - - - - -	54
--	----

CHAPTER V

CHARLES I; DOMINIUM MARIS - - - - -	65
-------------------------------------	----

CHAPTER VI

THE COMMONWEALTH; THE DUTCH WAR. CHARLES II; THE NEW SOCIETIES FOR THE FISHING IN SCOTLAND	81
---	----

CHAPTER VII

CHARLES II; THE ROYAL FISHERY - - - - -	97
---	----

APPENDIX - - - - -	116
--------------------	-----

INDEX - - - - -	132
-----------------	-----

CHAPTER I.

THE DUTCH GRAND FISHERY; JAMES I; MARE LIBERUM AND DOMINIUM MARIS.

THE history of the Royal Fishery Companies of England is the history of a series of attempts made during the seventeenth century by the sovereigns of Britain to unite English and Scotch noblemen, gentlemen of private means, merchants and fishermen in an enterprise which had for its ultimate object the ousting of the Dutch from the position of pre-eminence in the North Sea which the Hollanders enjoyed as the result of centuries of strenuous toil and untiring enterprise. Recognising from the first its national importance to a maritime people, the Dutch, with dogged perseverance, had striven to develop the fishing industry, and with such success as made their fisheries at once the envy and the inspiration of all those who, in various ways, laboured in the sixteenth and seventeenth centuries to establish Britain as a sea power. Roused to action by the success of the Dutch, numerous public-spirited pamphleteers wrote with the intention of impressing upon the British people the fact that the Hollanders were fast becoming a great maritime power through the wealth derived from the exploitation of those resources of the North Sea fisheries which Britain had so long neglected. That British jealousy of the Dutch which is such a factor in the foreign policy of Britain during the seventeenth century, sprang in no small measure from the growing knowledge of the wealth derived

by the men of the Low Countries from fisheries conducted, to a considerable extent, on the very coasts of Britain.

Although it was not until the sixteenth century that the inhabitants of Britain became alive to the magnitude of the Dutch fisheries, the latter had been recognised in the Low Countries as a great national concern at least since the twelfth century. In 1177, Margaret of Alsatia, Countess of Flanders, issued a regulation prescribing the manner of salting herrings; salted herring are also mentioned in a charter of Louis VII. of France, dated 1179.¹ That the Dutch fishermen were, even thus early, aware of the value of the fishing off the coast of England and had already extended their operations so as to include the fishing grounds there, is evident from a proclamation of Edward I., issued in 1295, to the effect that the many people from "Holland, Zealand, and Friesland," who "come and fish in our sea off Yarmouth, be treated civilly, and not molested, robbed, or plundered by the king's subjects."²

By the fifteenth century Dutch cured herring had become an important item in the food supply of the English army. The salted herring referred to in the twelfth century documents already mentioned, were merely herring packed or strewn with salt so as to preserve them for a short time, but towards the close of the fourteenth century the art of pickling and barrelling herring so as to make them a suitable article of foreign trade was discovered, the Dutch soon began to export herring, and found in England a good market. The famous Battle of the Herring, fought in 1429 in France, is proof of the fact that salted herring were by that time appreciated by the English as a convenient article of diet for an army in the field.

¹ "The History of Dutch Sea Fisheries," p. 10. (Prize Essay by A. Beaujon, International Fisheries Exhibition, London, 1883, printed in the *Fisheries Exhibition Literature*, vol. ix.)

² Beaujon's Essay, p. 9.

The man who discovered how to cure herring, and who thus has the credit of having been the founder of the greatness of the Dutch salted herring trade, and, as a corollary, of the maritime supremacy of Holland in after years, was William Beukelsz, who about the middle of the fourteenth century lived in Biervliet, now a village in the southern part of Zealand. All agree upon this, and that he was a "Stuyrman," or skipper engaged in the herring fishery. Some, indeed, claim that he was no Dutchman, but an Englishman named Belkinson, who, finding his fellow-countrymen unsympathetic and sceptical of his powers, carried his invention of the mode of pickling and curing herring to Holland, where he died in 1347 or 1397, for the date is a matter of dispute.¹ The Hollanders were not slow to recognise that to the invention of Beukelsz they owed the greater part of their quickly accumulating national wealth. A public monument was erected to him at Biervliet, and it is on record that the Emperor Charles V. honoured the memory of this founder of a nation's prosperity by visiting his tomb.

In its essentials, the Dutch method of curing herring called "kaken,"² is still identical with that invented by Beukelsz, and described in the same fashion throughout Dutch history. The fish are opened and gutted the moment the net is hauled aboard; they are salted carefully and then packed in a peculiar fashion in barrels. In order to maintain the standard set up for Dutch "brand-herring," all Dutch fishermen were compelled to practise this method of curing the herring, while a set of stringent regulations had to be observed with regard to the size of the mesh in the net used, the quantity and quality of the salt employed, and the times and place of fishing. The excellence of the

¹ "Fisheries and Fishermen of all Countries" (*The Fisheries Exhibition Literature*, vol. i. p. 37), also Beaujon's Essay, p. 11.

² The barrels used were called "kaecken" or "kaecjes," hence the name. See Beaujon's Essay, p. 11.

Dutch cured herring was quickly recognised in the principal countries of Northern Europe, and Holland soon engaged in a lucrative export trade in herring. Holland attained her utmost greatness in the period of the Republic of the United Netherlands; it is a clear index to the manner in which that position was gained, that this is also the epoch in which her sea fisheries attained their greatest importance.

As is usually the case, it was the increased importance of Holland and particularly her growing maritime power which brought her into conflict with other nations. So long as the Low Countries had constituted merely a small province of the great Spanish Empire, both English and Scotch had been content to grant Dutch fishermen their protection and had willingly allowed them to fish in British waters, upon their acknowledging the sovereignty of the English king in the seas about Britain, and purchasing licenses permitting them to fish in these seas. The English kings had since the time of Edward III. definitely asserted their claim to sovereignty in the seas lying about the coasts of their kingdom. Edward III. issued a proclamation making this claim, and had his right admitted by the Treaty of Paris, 1360; this same right was upheld by Henry V., Henry VI., and Henry VII.¹

That this claim to sovereignty was much more than a mere idle assertion is clear from the fact that in the reign of Mary when the fishermen of the Low Countries wished to seek new fishing grounds, there was granted to King Philip's subjects in Flanders a twenty-one years' lease of the fishings about the North Coast of Ireland, this lease being granted in consideration of a fine and £1000 paid annually to Sir Edward Fitton, Treasurer for Ireland. A

¹ *Cal. S.P. Dom. Car. II.*, vol. 339. "A collection of divers particulars touching the King's Dominion and Sovereignty in ye Fishing as well in Scotland as in the Brittish Ocean, presented Aprill, 1633. Chronicon Malmsbury, John Haywood."

like privilege to fish in the Irish seas was granted under similar conditions by the same queen to "The Company of the old Hans." Foreigners desirous of fishing in English waters were, at this time, regularly granted licenses at Scarborough Castle.¹ It was in the nature of things, however, that foreigners should trouble to provide themselves with licenses only so long as the king of England was powerful enough to enforce his ancient rights. As the glorious days of the Tudors departed English sea-power declined, and the ability of England to maintain her claims was so questionable that foreigners no longer paid attention to them. Not till 1635, when Charles I. demanded that all Hollanders fishing in the North Sea should provide themselves with licenses bought from him, was there any re-assertion of this ancient right of the English kings to demand payment from foreigners for the privilege of fishing in the seas surrounding the English dominions.²

The Stuarts, however, had brought to England such civil strife and turmoil as made it impossible for that country to maintain her position among the nations. As the glory of England waned, the power of Holland grew; and the beginning of the seventeenth century saw Holland no longer a mere dependency of Spain but the first sea-power in Europe. In 1581 the Hollanders had thrown off the Spanish yoke, and with all the energy of a young nation inspired by newly acquired freedom had embarked on such a career of maritime prosperity as Europe had never before witnessed.

¹ *Cal. S. P. Dom. Car. II.*, vol. 339.

² *Cal. S.P. Dom. Car. I.*, vols. 313, 319, 320.

NOTE.—Other kings and princes claimed like privileges; the Emperor of Russia, the kings of Denmark and Sweden, the Duke of Medina and the princes of Italy, all derived great revenues from the taxation of fishermen fishing on the high seas off their coasts. In the western parts of England itself, it was the custom for pilchard fishers to pay a tithe of their catch as tribute to the lords of the manors next the coast. *Cal. S.P. Dom. Car. II.*, vol. 339, pp. 1-5.

The feelings of Britain towards the Dutch changed at once with the altered position of Holland; the former attitude of easy toleration extended to a poor neighbour was changed to a feeling of jealous hatred for a rich and powerful rival. This growing animosity was fanned by the works of the numerous English pamphleteers who wrote concerning the wealth that the Hollanders were deriving from the North Sea. These pamphleteers, for the most part, boldly asserted that the North Sea, and in particular the parts near the coasts of England and Scotland,—and here the Hollanders frequently fished—were part of the British dominions, and, as such, should be reserved for the native fishermen.

Though many such pamphlets appeared during the reign of Elizabeth, no action was then taken by England against Holland in the matter, since the queen was too much alive to the danger from Spain to permit herself to become involved in a quarrel with a people whose hostility towards the Spaniard rendered them a likely ally. The controversy therefore regarding the right of the kings of England to “*Dominium Maris*,” did not reach a head until James I. ascended the throne of England. It was such a question as James, with his love of legal detail, loved to discuss, and he devoted himself zealously to the task of maintaining the ancient claims of his kingdom. Before his accession to the throne of England, James had already had considerable experience of Dutch encroachment. His Scotch subjects, particularly those resident in the island of Lewis, had complained frequently to the king concerning the aggressive tactics pursued by the Dutch.

No foreigners had fished off the island of Lewis till 1594, when the Hollanders began to fish in the seas about the island by virtue of a license, which kept them, however, at a distance of twenty-eight miles from the shore. Finding the fishing there a highly lucrative one, the Dutch had repeatedly asked James to sell them a little island called

Petershead. Being refused this, they gradually encroached so much upon the privileges of the native fishermen, that these, seeing themselves being gradually deprived of the best fishing grounds, made complaint to the king.¹

It appeared highly significant to the mind of James that the treatise of Hugh Grotius on *Mare Liberum* should have appeared at the very time when the Hollanders were attempting to seize by force that which they had formerly been glad to use by special favour. James took it that the assertion of "Mare Liberum" was a definite declaration of Dutch policy, aimed particularly at England, and acted accordingly. He ordered his ambassador to the Hollanders, Sir D. Carlton, to make formal complaint, and, irritated by the outcry on the part of his subjects against foreign fishermen, issued a Proclamation on May 16th, 1609, forbidding foreign fishermen to fish on the British coasts and in British seas except upon payment of certain fees for license; these licenses were bought at London by those who wished to fish off the English coasts, and at Edinburgh by those who wished to fish off the Scottish coasts. By proclamation, all unlicensed fishers were interdicted from fishing, the Duke of Lennox, as Admiral of Scotland, being ordered to see the right of Assize Herring² put in execution;³ James thus openly took his stand by the "Mare Clausum" theory, the assertion of the "Dominium Maris."

Henceforth during the reign of James, an armed peace prevailed, both in the North Sea and at Spitzbergen, where the whalers of Britain and of Holland were working in competition with each other. Men-of-war accompanied the fishing fleets of both nations and prevented open warfare, although disputes were frequent. James, however, was not

¹ *Cal. S.P. Dom. Car. II.*, vol. 339, p. 13.

² Assize Herring, payable by all Fishers Native and Foreign, 1424, 21st Act of Year, 1st Parliament under King James I.

³ *Cal. S.P. Dom. Car. II.*, vol. 339, pp. 1-5.

yet satisfied ; the tax on Dutch fishermen had already been remitted in 1612, at the marriage of the Princess Elizabeth to the Prince Elector of the Palatinate, but, ignoring this, James in 1617 demanded of the Dutch fishermen working in British waters a tax of one angelot, or a barrel of herring and twelve codfish, for every vessel. The tax was at first paid ; afterwards, however, the Dutch refused to admit the king's right to demand it.¹ A certain Mr. Browne sent to defend the king's claim to this tax and to see it collected in due form from the Dutch fishing vessels, was seized and carried off to Holland. James, roused to action by this act of defiance, ordered the ambassador, Sir D. Carlton, to demand reparation for the insult from the States-General. So vigorously did the ambassador state the case that Browne was released, while the captains of the ships who had seized him were handed over to James for punishment, a plea for mercy being entered on their behalf by the States.²

The States at this time pleaded that by at least two treaties, one concluded in 1495, between Philip of Burgundy and Henry VIII., and the other between Charles of Burgundy and Henry VIII., it had been agreed that the subjects of the Netherlands should fish in the English seas without impediment and without license. Upon James repudiating this, the Prince of Orange proposed, as a compromise, that the Right of Fishing should be purchased by one payment. Sir D. Carlton, however, answered that a royalty of this nature could not thus be purchased. The Dutch next claimed that in 1594, at the christening of Prince Henry, the States assisted as godfathers, and that King James then granted them the privilege of fishing without license ; when asked for proof, however, they were unable to produce evidence of any such privilege.³

¹ Beaujon's Essay, p. 172.

² *Cal. S.P. Dom. Car. II.*, vol. 339, pp. 1-5.

³ *Ibid.*

It was evident, indeed, that the object of the Dutch throughout these negotiations concerning fishing rights was simply to delay the settlement of the matter as long as possible. Being aware of the intention of the Dutch, and seeing that Sir D. Carlton was being put off from day to day at the Hague with legal quibbles, James sent him orders to "deale roundly in it." That the Dutch were not at all sure of the position in which they now stood is evident; in 1618, a double convoy accompanied their fishing fleet to the fishing grounds, proof that the Hollanders were dubious as to the reception awaiting them, and expected some molestation.¹

Their right, indeed, to fish even within sight of the coasts of Britain was also a matter of dispute. It had always been understood that for a certain distance from the shore the fishing was reserved for native fishermen; the exact distance had varied considerably with varying conditions. The French, for example, by a treaty made in the reign of Henry IV. of France, with regard to fishing off the coast of England, had accepted a limitation both as to time and place. They agreed not to fish "between Autumn and the Calends of January," and only throughout that part of the sea "which is bounded on this side by the Ports of Scarborough and Southampton, and on the other side by the coast of Flanders and the mouth of the river Seine."²

Similarly, the Dutch, from the beginning of their fishing enterprise in British waters, had recognised the claims of the native fishermen. When, in 1594, they asked and obtained permission to fish in Scotch waters, it was agreed that they should not come "within the sight of the shoar, nor into any of the loughs nor in the seas betwixt islands."³

¹ *Cal. S.P. Dom.*, vol. 339, pp. 1-5.

² Selden, *Mare Clausum*, I. ii. cap. 25. Stubbs, *Justification of the War against Holland*, 2nd part, p. 63.

³ *Cal. S.P. Dom. Car. II.*, vol. 339, p. 161.

Gradually, however, they had encroached upon this, with the result that the complaints of the Scotch fishermen became very bitter against the usurpers. The Hollanders, indeed, seem to have oppressed the native fishermen in many ways. They "cut their nets and offered violence to their persons, and in the end they drove them from their own seas and forced them to seek their fishing upon the Isle of Fara in Denmark."¹ This led to a remonstrance on the part of the Danes, and on March 12th, 1618, to the forbidding of the Scotch fishermen to fish there. Naturally the Scots clamoured for a like prohibition against the Dutch, and on April 4th, of the same year, presented their petition asking this. The king, on 7th November, answered that commissioners must be appointed to treat on the matter. The Scots sent as their commissioners Lennox, Hamilton, Lord Binning, and Sir George Hay.² The Hollanders refused, however, to abide by the treaty which followed, and insisted upon the freedom of the sea to all; James, while willing to allow the Dutch the privilege of fishing in what he asserted to be British waters, maintained, nevertheless, that they must abide by the ancient custom, fixing the prohibited fishing area for foreigners as being the part "within kenning of land, as seamen do take a kenning," a custom recognised in England also.³ Ultimately, in 1618, Sir D. Carlton was instructed to make proclamation to the Dutch fixing the limit at 14 miles, "this year or at any time hereafter."⁴

In that year, 1618, the Dutch, as we have seen, went to the fishing on the coast of Scotland with a double convoy,

¹ *Cal. S.P. Dom. Car. II.*, vol. 339, p. 161, and *Cal. S.P. Dom. Car. I.*, vol. 229, No. 78.

² *Cal. S.P. Dom. Car. I.*, vol. 229, No. 78.

³ *Cal. S.P. Dom. Car. II.*, vol. 339, p. 147. King James to Sir D. Carlton, 4th May, 1618.

⁴ *Cal. S.P. Dom. Car. II.*, vol. 339, p. 161.

since they thought that a crisis was at hand. Meanwhile the complaints against the Dutch had become so numerous that the States issued a proclamation commanding the Dutch seamen to refrain from violence, on pain of being "punished in the body as pirates and men of violence."¹

Weary of these constant complaints and anxious to come to some understanding which might set an industry involving their national existence on a satisfactory basis so far as fishing rights were concerned, the Dutch, in 1619, sent an embassy to London. To these ambassadors, on January 30th, 1620, James made a formal declaration concerning his demands, urging upon them the importance of speedily coming to a definite settlement: "The said ambassadors will remember how often his Mat^y hath summoned their Superiours to accomplish their Promise they have made him to come to a Treaty about the Point of general Fishing upon ye coast of Great Brittain and Ireland, in w^{ch} their Subjects have encroached for many yeares together upon his Mat^{yes} Rights, who neverthelesse, in regard of ye State of their affaires, hath been content to leave it hitherto in suspense. But now they may lett their Superiours know his Mat^y doth expect that, so soon as conveniently it may be, they send hither some Persons authorized to treat and finally cleare this difference."²

In spite of this declaration, however, little was done to

¹ *Cal. S.P. Dom. Car. II.*, vol. 339, No. 107. Placaert of 5th June, 1618. "Defendons par cette bien expressement à tous Pilotes, pecheurs d'hareng et pecheurs capitaines, matelots, et autres destinés au Convoy d'cieux navires d'Hareng et generalement à ceux qui se meslent de lad' Pescherie en ces Pais, qu'ils auront à prendre garde de commettre et farre aulcune force et tort aux susd' Habitants et sujets de S. M. soit par armes ou autrement et de ne faire aux susd' sujets aulcun empeschment ou molestation en quelque endroit de la Mer, où ils seront exerçants leur traficq et pescherie d'harengs, mais de leur en laisser pleine et entiere liberté à leur contentement sur aulcune place ou quartiers que ce pourront estre, mesmes devant & sur les costes de ces Pais, sur peine d'estre punis au Corps comme Pirates et malfaiteurs."

² *Cal. S.P. Dom. Car. II.*, vol. 339, No. 381.

settle the question, and, although two other embassies came to London in January, 1621, and December, 1621, respectively, to negotiate on the matter, no agreement had been made when the ambassadors finally left England in 1623. The Dutch were unwilling to quarrel with England, but at the same time they did not care to be bound down by any rigid international agreement which might injure their her-ring trade. When, therefore, they saw that no agreement was likely to be made which would be in the interests of that trade, they pursued a policy of vacillation which rendered all negotiation futile.¹

Numerous complaints were still made by the Scotch fishermen against the Hollanders, and the Lords of the Estates by letters dated 24th January, 1622, represented the case to the king, urging him to take measures to protect his subjects.² Afraid lest James, moved by these appeals, might adopt measures of coercion against the Dutch, the States secretly consented to grant compensation to those Scotchmen who had suffered loss, and later gave orders that Dutch fishing vessels were not to approach so near the land as to give offence to British fishermen, thus tacitly agreeing to respect the ancient rule that foreign fishermen should not come within sight of the British coast.³

James, who was never the man to push things to extremes, henceforth contented himself with the continued assertion of the "Mare Clausum" theory, and the occasional definition of the distance which foreign fishermen must maintain between themselves and the coast of the British Isles.

It was at this time that the project of the formation of a fishery company to exploit the Scotch fisheries was first mooted, the Duke of Lennox being the first to make the

¹ Beaujon's Essay, pp. 173, 174.

² *Cal. S.P. Dom. Car. II.*, vol. 339, Nos. 343-381.

³ Beaujon's Essay, p. 174.

suggestion.¹ James, however, anxious to preserve peace with Holland, would not countenance a scheme which had for its object the competition of Scotland with the Dutch in the fisheries of the North Sea and the West Coast, which was certain to lead at least to an increase of hostile feeling between the two nations, already sufficiently embittered against each other. Without considering, therefore, the merits of the proposal, James ignored all representations on the subject, and pursued the more agreeable policy of easy toleration towards the encroachments of the Dutch.

It was, indeed, high time for action to be taken if the Dutch were not to have an absolute monopoly of fishing in British waters. The increasing bitterness during the reign of James of the complaints against the Dutch, is in itself proof that the Hollanders were vigorously extending the field of their operations, and were being led through competition with each other to constantly seek new fishing grounds. Their deep-sea fisheries had indeed attained vast proportions. Sir D. Carlton, writing about 1618 to Secretary Naunton, asserted that 50,000 people in Holland were maintained by the fisheries on the English coast,² and this statement is borne out by evidence.

The Dutch deep-sea fishery had been no haphazard growth; its success was the result of much patient care and thoughtful legislation. Every movement of the Dutch fishing fleet, and every operation on board the vessel employed, was fixed by law, precise sailing orders being issued annually by the College of the Herring Fishing at their annual meeting at Delft, before the opening of the season.³

¹ *Cal. S.P. Dom. Car. I.*, vol. 229, No. 78.

² *Cal. S.P. Dom. Car. II.*, vol. 339, No. 355.

³ For the constitution of the College, see Beaujon's Essay, p. 62. Roughly speaking, "the Lords of the Grand Fishery" consisted of two delegates from the magistrates "of such towns as are notably concerned in the business." Since no buss could sail without a license granted under seal of the Grand Fishery, obedience to the rules of the college was imperative.

As a matter of general practice, the Dutch began fishing on St. John's day (June 24th), "near the Shetlands, Fairhill, and Buchan Ness," fishing in these waters till St. James' day (July 25th). From St. James' to Elevation day (September 14th), Buchan Ness, or "Sevenjot" (a place not located), was still the herring fishers' place of resort; in the autumn they went towards the south, and till St. Catherine's day (September 25th), fished in the so-called "deep waters" off Yarmouth.¹

One of the most detailed English accounts of the wealth and resources of the Dutch fishings at this time, is that of Tobias Gentleman, who, in his *England's Way to win Wealth*, 1614, gives some interesting details of the methods of the Dutch. He has the merit of having taken a more sober view of the size of the Dutch fishing fleet and the money derived from the fishing than some of the earlier pamphleteers, such as Raleigh and Hitchcock. His work is also a fair sample of the many pamphlets on fisheries which were issued during the 17th century.

He shows that the Hollanders began to make ready their busses² about the middle of May, setting sail by the first of June with a great fleet composed of vessels of varying size; "Six hundred of these fisher ships and more, are great Busses, some six score tons, most of them a hundred tons, and the rest three score and fifty tons, the biggest of them having four and twenty men, some twenty men, and some eighteen and sixteen men apiece, so that there cannot be, in this fleet, of people no less than twenty thousand sailors." He tells how they fill their boats with herrings "three times apiece," before St. Andrew's (30th November), and computes that, selling these at the rate of ten pounds

¹ Beaujon's Essay, p. 61, quoting from a Dutch pamphlet by Meynert Semeyns.

² "Buss" or "Bush"—a large fishing boat, usually from 40 to 70 tons. See Appendix.

the last,¹ they must make much more than the sum of one million of pounds sterling yearly : “ A most worthy sight it were, if they were my own countrymen, yet have I taken pleasure in being amongst them, to behold the neatness of their ships and fishermen, how every man knoweth his own place, and all labouring merrily together, whereby the poorest sort of themselves, their wives and children, are well maintained, and no want seen amongst them.”

He remarks upon their commencing the fishing at the Isle of Shetland, “ which is his Majesty’s Dominion,” and says that as many as forty ships of war have been seen with the fishing fleet to guard them from their enemies, and particularly from the privateers from Dunkirk, the terror of the North Sea at this time.²

Arrived at Shetland, the vessels put into “ Bracy’s Sound,” where the fishermen made holiday until the legal date in June for the commencing of the fishing : “ There they frolic it on land, until that they have sucked out all the marrow of the malt and good Scotch ale, which is the best liquor that the island doth afford.”

The fishing once started, the Hollanders continued to follow the shoals of herring as far as Yarmouth, the herring fleet being attended by “ Herring-yagers,” which brought

¹ Herrings are measured in Scotland by the cran. A cran contains 36 gallons and holds from about 800 to 1000 herrings. A barrel of full herrings contains 700 to 750 fish.

In Ireland and the Isle of Man, herrings are measured by the mease, which contains 525 fish.

In England, herrings are usually sold by the last, each last nominally containing 10,000, but in reality 13,200 fish.

The Last, a German word, is computed in this way :

4 herrings	-	-	1 warp.
33 warps	-	-	1 hundred.
10 hundreds	-	-	1 thousand.

Keymore’s *Observations*.

² Dutch records of the early seventeenth century are full of accounts of regular naval battles between the convoying vessels of the Dutch fleet and the privateers. Beaujon’s *Essay*, p. 59.

them "men, victuals, barrels, more salt and nets," and took away the cured herring, selling them at the various towns in Russia, Sweden, Denmark, Poland, Prussia and France.

Gentleman remarks on the Dutch fishing laws which forbade the bringing of herring into Holland unless fit to be barrelled. Fish not fit to be barrelled were sold to Yarmouth merchants, for immediate consumption, the best fish were given the best brand, and barrelled for use in Lent; these were sent to all the towns in France, where they commanded a high price.¹

He mentions also the fact that there were other Dutch fishermen who fished all the year round for cod, and ling. These used "Pincks" and "Well-boats," of from thirty to forty tons. In addition, the Hollanders had "Fly Boats," which rode at anchor all the season on the fishing grounds, off the North East of Shetland, and which had cobbles with them from which the fishermen fished with lines and hooks, "whereby they do take great store of Lings, the which they do not barrel, but split them, and salt them in the ship's bulk; and these they sell commonly for four and five pounds the hundred, and these go by the name of Holland lings, but they are taken out of his Majesty's seas, and were Shetland lings before they took them there, and for these lings they do carry away abundance of England's best money daily." Gentleman's pamphlet concludes with a lament that the English will not bestir themselves and take part in this harvest of the sea: "Not one of his Majesty's subjects is there to be seen, all the whole summer, to fish, or to take in herring, but only the North Sea boats of the sea coast towns, that go to take cods; they do take so many as they need to bait their hooks and no more."

¹ See for various regulations regarding Branding of Herring Barrels, Beaujon's Essay, p. 39 onwards.

During the short respite from their labours enjoyed by the Hollanders while awaiting the gathering of the fleet at the rendezvous in Shetland, they seem to have behaved in such fashion as to render their annual advent a matter of considerable dread to the inhabitants. The grievances of the islanders are set forth in a contemporary account of "The Griefs and Wrongs the Inhabitants of the Isles of Orkney and Shetland and others, his Maties subjects, fishers within the Kingdom of Scotland, sustains be the Hollanders and Hamburg tigers."¹

After stating that "These Hollanders and Hamburgers are accustomed yearly to come to ane port of Zeitland called Brasso Sound, about the first of June and ly there some 20 dayes or yrby attending the coming of their hail companys whilk will sometyme exceed the number of Two Thousand Saile," the author goes on to enumerate the various wrongs and injuries committed upon the islanders. When ashore, the Dutchmen, finding security in numbers, indulged in many acts of wanton mischief. They "chased, took, and slew sheep" belonging to the inhabitants, cut down all growing timber wherever they found it, "qlk is ane casualtie to these isles," spoiled meadows and green pasturage, "cutting it up by drawing their names and marks that ye samen is made unprofitable to the owners," and trod down all the ferns "be their great numbers." They "enticed to their service" the best and ablest fishers in the islands, sometimes even seizing them by force, "to the great prejudice of his Majesties Tennents." A more willing type of recruit was found in "thieves and all sorts of malefactors," who found a refuge in the Dutch fishing fleet and thus escaped from justice. In their lawlessness

¹ MSS. 31.2.16., Advocates' Library, Edinburgh. Date, about 1618. See also Fraser, *Memorials of the Earls of Haddington*, vol. ii. p. 65. Answer by the States General of the United Provinces to the Propositions of the Ambassador of James the Sixth, relative to the Herring Fishery on the coast of Scotland, 5th June, 1618

they did not spare even the places of worship ; in the kirks they broke down the seats and committed every kind of profanity. A less serious offence was that “ numbers of these fishers being on shoar take horse rydes so many thereon as may sitt, to the great hurt of ye owners thereof.” A final accusation was that whenever they approached any uninhabited island which they found to be the breeding place of seafowl, they took eggs and young fowls out of the nests, to the serious loss of the owners “ who were accustomed to make profite thereby.”

Having thus voiced the grievances of the people of Orkney and Shetland concerning the conduct of the Hollanders during this short annual holiday, the writer enters upon an account of the injuries suffered at the hands of the foreigners when these came to engage in fishing. His statement of these wrongs is a good example of those complaints which were with such regularity placed before James VI., and which finally induced that monarch to enter upon the controversy “ *De Dominio Maris*,” in his endeavour to relieve the situation.

The writer declares that the coming of the Hollander had ruined the native fishing industry : “ The Inhabitants of these Isles, and others his Maties subjects, fishars, were Inriched by that trade of fishing before these Hollanders and others their associats approached his maties coasts. But now all are Impoverished, . . . his maties tennents in those Isles are not able to pay his maties rent. And the fishars dwelling upon the coast of Scotland are sore decayed by ye oppression of these Holanders and their associats. Be reasone all are violently debarred frae those pairts where they were accustomed to fish.”

The Dutchmen did not hesitate to use violent methods towards the fishermen. If they ventured near the Hollanders, they were shot at, and their small nets and lines were entangled within the huge nets belonging to the foreigners and

so carried away. Disregarding any ancient understanding on the subject, the Hollanders now came close inshore "where befor they approached not the coasts nearer then fourty myles." "This near approaching of theirs the shoar," the author maintains, "has not only impoverished that haill trade of fishing and all that were benefited thereby, qlk is noe small loss, being rightly ponderat, but likewise far prejudges his maties Customes."

"Before those Hollanders approached so near the Coasts The Schools of fishes came hard to the shoare, that, without great expense, the poorest fisher would have Inriched himself. But their near approaching breaks now the schools of fishes,¹ that noe fishes are gotten but with great expense and trubell, so that the poor, who are not able to make great charges, are all together frustrate of any benefite. . . . Certain of these Hollanders being forced either be Storme of weather or lack of fresh watters they are not content to wrang his Maties subjects by fishing hard by the shoar where they were accustomed to fish, but comeing within lands, they will fish hard by Gentlemen's Doors, Whilk pairts has been appropriat to the owners of the Land nearest adjacent for their fishing there the tyme of Stormes, for the Entertaining of their houses when they may not goe to sea. This wrong of theirs has oft brought contraversie and sometymes blood."

Certain payments in kind are mentioned which would imply that the Hollanders felt, to some extent at least, that their being allowed to fish in these waters near the Orkneys and Shetland Isles was in the nature of a privilege. "Those Hollanders, at the least ye greatest number, gave to Captain Thomas Knightsone, who then carried charge under the late Earle of Orkney, ane Barrele of Salt for his oversight for ilk Ship. Thereafter they offered to the late Earle of

¹ See also *Cal. S.P. Dom. Car. II.*, vol. 339, p. 161. "MS. discourse about ye fishing in Mr. Sam Coke's hand," where this same charge is made.

Orknay, for giving them his oversight, for ilk shipe ane Angell and ane Barrell of Birskate bread. But he would have no less nore ane Double Angell, or ane Rose Noble at the least."

Some further contemporary evidence with regard to the Dutch fishing in the Orkney and Shetland islands is given in two letters, one written by the Earl of Dunfermline to Lord Binning, dated Edinburgh, 27th November, 1618, the other by S. Murray to the same, dated 26th November, 1618.¹ Lord Binning, it will be remembered, was one of the commissioners appointed in 1618 by James to confer with the Dutch on the matter of the fisheries; he evidently had been asking for information as to the manner in which the Hollanders first began their fishing off the Scotch coast in 1594. In answer to Lord Binning's request for "Information in these matters concerning the Hollanders fishing in our seas," the Earl of Dunfermline replies that he can find no record of any negotiations with the Hollanders "in 1594 or any other tyme, although all Registers and Records in the Castle have also been examined."

Mr. Murray, however, gives a little more information. "Since the wryting of my letter, I conferred with William Bruce, that dwells in Zetland, anent ye matter of ye fishings, who told me that the Hollanders albeit the most part of their fishings were fourtie myles of the land and more, yet they come ordinarily with fourteen myles before they let their netts fall, and on the East of Orkneys come within six or seven myles. Now they come so near the land that some of them break their netts upon ye rocks. They fish not within the Isles near adjacent to the Mainland of Zetland, nor are yr any great fish gotten, but such small fishes as serve ye people for yr meat and whereof they gitt the oyle wherewith to pay their rent of that kind. But they come also near those Isles as they can."

¹ MSS., Advocates' Library, 31.2.16.

It is evident, however, that there must have been a reverse to this picture. The inhabitants of these naturally barren islands must have derived no small benefit from the annual visit of those foreign fishermen, even if they felt it a grievance that the foreigners encroached upon the preserves of the native fishermen. They had, in fact, gradually come to look to the foreigners for a great part of their annual subsistence. This is clear from a "Supplication by the Earl of Morton on behalf of himself and the inhabitants of Zetland," addressed to the Privy Council on 4th March, 1662.¹ On March 22nd, 1661, Parliament had passed an act prohibiting foreign fishermen from fishing near these islands or trading with the inhabitants. The islanders, evidently much perturbed by the passing of this act, plead in this Supplication that the traders of Lubeck may be permitted to visit their islands and supply them with corn as they have hitherto done which they are now prohibited from doing by the Navigation Act. They show that "the said island, being of itself barren and infertill, . . . by the product and growth thereof the same is not able to intertaine the inhabitants ane quarter of the haille year but were ever maintained be cornes and other provisions, whilk were imported be Lubicers, Hambergers, and other strangers who arryved there yearlie to fish upon the coasts of the said island, be whom the inhabitants were for the most part still maintained in all tymes bygane." In view of these circumstances, they ask that the foreigners be allowed to come at least for this year, saying that if they are not permitted to do so, "not only many thousands of the saids inhabitants will be in danger of starving for want of bread, bot the rest will be forced to desert the said illand and leave the samen waste and desolat." Concluding their request, they beg that if the Dutchmen are to be prevented from coming as usual "some speedie course be taken for pro-

¹ *Reg. Privy Conc. Scotland*, vol. i. (3rd series) p. 182.

vyding of the said island with cornes and other necessars for their sustentation and intertainment, that they be not exposed to the miseries of famine and desolation." Moved by this petition, the Lords granted permission for the foreigners to trade for one more year with the islanders.

The presence on the coasts of the much maligned Dutchman was, therefore, often productive of good much more than of evil. When, indeed, at a later date, some Scotch traders decided to make an attempt to establish the fishing industry on a proper footing, we find them gladly enlisting the services of Dutchmen who were to teach them "the way of the Hollanders making and dressing of these fishes," and "the most convenient and expedit way of fishing."¹ Dutchmen were thus called in to show Scotland that road to wealth which Holland had so long successfully followed. Even from the encroachments of the Dutch good eventually came, since the most apathetic was bound to feel that the fishing grounds so much sought after by foreigners, must be of considerable value, and that it was of national importance that Britain should no longer neglect that source of wealth which lay at her very doors.

The Dutch, as the pioneers of deep-sea fisheries, had shown the way to reap the harvest of the sea, and, as the reward of hardihood and enterprise, had become the strongest maritime power in Europe. The seventeenth century saw them gradually ousted from their position of pre-eminence, until, by the end of that century, they were, comparatively speaking, merely onlookers where once they had been supreme. This gradual decline of the Dutch fishing industry was due, however, neither to any falling off in enterprise on their part nor to any superiority in commercial instinct on the part of their rivals. As a matter of fact, the first attempts of the British to found a national fishery which should rival that of the Dutch, were singularly

¹ *Reg. Privy Conc. Scotland*, vol. i. (3rd series) p. 271.

unsuccessful. It was as the direct result of the long period of almost constant naval warfare from 1652 to 1713 that Holland ceased to hold a place of power among the nations of Europe. Jealousy caused by the success of the Dutch fisheries was, in no small measure, a reason for these wars. Their ultimate result was all that England had desired ; her own fisheries had by no means realised the sanguine expectations of their early promoters, but she was left without this formidable rival in the North Sea. Meanwhile it is of importance to observe that the desire to emulate the Dutch was the reason for all the efforts made during the seventeenth century to promote national fisheries in Britain.

CHAPTER II.

CHARLES I.: FISHINGS OFF THE COAST OF BRITAIN.

CONCERNING Charles I., many have observed that the untoward events of his life were mainly due to the fact that he carried into actual practice ideas with regard to which his father had been content merely to theorise. Again, it has often been remarked that whereas James I. was by natural temperament so timid that, shrinking from conflict, he never carried matters to their logical conclusion, his son possessed a spirit which impelled him to risk all rather than relinquish an opinion of the truth of which he had become convinced, or an undertaking upon the accomplishment of which he had set his heart. It is no matter for surprise, therefore, to find that while James was content to moralise concerning the infringement of the natural rights of his people by the Dutch fishermen, the more practically minded Charles, who had inherited all his father's opinions with regard to the constant presence of the Hollanders upon the British coasts, set himself, almost immediately upon his accession, to devise some means of establishing the British fisheries as a national industry worthy of the name. It is also characteristic of Charles to find him, in a short time, demanding that the Dutch should recognise, in practical fashion, his claim to sovereignty in the North Sea, and strengthening his navy with a view to the conflict that he knew must inevitably ensue. In point of fact, only the outbreak of the Great Civil War prevented the

precipitation in Charles' reign of that Dutch War in which the sailors of the Commonwealth gained such glory.

Charles was not slow to recognise that to succeed in this great enterprise of driving the Dutch from their position in the North Sea, he must have behind him a people roused to the position of affairs and at one with him in his endeavour. It became his object, therefore, to educate public opinion with regard to the extent and wealth of the Dutch fisheries compared with the poverty of those conducted by the British. In this purpose Charles was assisted by various writers, who described, more or less accurately, the manner in which the fishing round the British coasts was conducted, and all of whom were at one in showing the vigour and industry of the Dutch as opposed to the inertia of the British fishermen who were so jealous of them. The institution of these comparisons between the British and Dutch fishing fleets, while humiliating in the extreme to British national pride, had, as was to be expected, a salutary effect in rousing the nation to action. One of the fullest of these comparisons was that of Secretary Coke, who, in a treatise entitled *Propositions for Fishing*, detailed the various fishings carried on both by English and by Dutch off the coasts of Iceland, on the west coast of Scotland, and in the Narrow Seas.¹

“Iceland itself,” writes Secretary Coke, “is a great territory, and unknown whether it be a main continent with Newfoundland or as Mariners say it is, one continent.” To this fishing the Dutch did not go. The English fishermen who went were chiefly men from Norfolk and Suffolk, with some few from Newcastle and other places. For the privilege of fishing they paid no duty to the King of Denmark. They fished, chiefly for ling and cod, until “about Bartholomew tide” (August 24th). The town of Yarmouth sent annually about fifty ships to this fishing, while other towns

¹ *Cal. S.P. Dom. Car. I.*, vol. 229, No. 79 and No. 82.

contributed about forty or fifty more, making in all about a hundred vessels, of from 50 to 150 tons. The fishers took their catch at a distance of 6, 10, or 20 leagues from the shore, never going nearer except in foul weather. They went to the fishing grounds "victualled for six months with Bread and Beer." For other provisions they relied on the resources of the Island, which could always provide them with "fowl and fish." One curious point noted by Coke is that many long winged hawks were taken, some 16 or 20 falconers going with the fleet to look after the birds.

Concerning Irish fishings, Coke comments on the fact that whereas formerly no foreigners fished there without having first duly taken out a license to do so, the Dutch were now acting as if the fishing were really their own, and had actually established a company at Amsterdam, called "The Irish Company," to exploit the Irish fisheries.

Another contemporary writer¹ states that upon the east and south coasts of Ireland there was formerly a herring fishing, but at that time it had not been engaged in for some three or four years. Upon the north and north-east parts of Ireland, there existed a herring fishing, "but so uncertain as no proportion can be made for the same." The same writer speaks of "ane Pilchert fishing upon the south-west of Ireland belonging to the City of London," and of the great Irish "Salmond fishings."

From March till the beginning of September the Yarmouth fishermen were off the coast of Ireland in search of cod and ling. Ordinarily, about this time, some two or three hundred small vessels of from ten to thirty tons burden set out for this fishing, making two or three voyages to the fishing grounds from the first of March to the first of September, when they set out for the herring fishing upon the banks of Yarmouth.²

¹ MSS., about 1630, 31.2.16, Advocates' Library, Edinburgh.

² MSS. 32.1.16, Advocates' Library, Edinburgh. "Memorandum concerning the fishing along the coast of England, Cornwall, etc."

The herring fishing off the coasts of Britain was, during the reign of Charles I., mainly in the hands of the Dutch fishermen, who obeyed the rules of the Dutch Fishery College, as they had done in the past; the Dutch vessels fished chiefly off the Lewis and on the east coast of England and Scotland. On the west coast of Scotland the fishing was to a very great extent in the hands of the native fishermen, and thus was not subject to the rules of the Dutch Fishery College, which fixed the 24th of June as the date for the first lowering of nets.

On the west coast the fishing began about the first of July and continued till about the 25th of October. In the fishing were engaged about eight hundred "Slayeing boats" of between five and six tons each. This number increased as the season proceeded, "so that sometymes they will extend to the number of 1500 fishing boats, and that over 200 Cowper boats about 12 Tun apiece, qch buyes the herring and transportes them from the places where they are taken to the burghs where they are sold for the use of the country."¹ From February to May, about 120 of the largest of the boats, engaged at the mouth of the Clyde in "ane codling fishing." It was estimated that some 6000 men were employed in this west coast fishing.²

The most careless observer could not fail to ask why this Scotch west coast fishery employed vessels so much smaller and so much less numerous than those of the Dutch on the east coast. In answer to this, it was explained by the contemporary Scotch writer already quoted that there could not possibly be a "bush" fishing on the west coast, nor could more vessels conveniently be employed, "in respect of the deepness and narrowness of the Lochs, and want of Harbours for resett of vessels of greater burden." Ob-

¹ MSS., about 1630, 32.1.16, Advocates' Library, Edinburgh.

² MSS. 32.1.16, Advocates' Library, Edinburgh. "Memorandum concerning the fishing along the coast of England, Cornwall, etc."

viously, therefore, the answer simply amounted to the statement that the Dutch, determined to make their fisheries a success, had provided harbours and all other things necessary so that the industry might be carried out on a large scale, while the Scotch, although consumed with jealousy, were still pursuing the primitive fishing methods of their forefathers.

As at the beginning of the century, the great herring fishery was confined to the North Sea, commencing "at the north pairt of Zetland and Orknay, Murray Firth, Buquhanes, Aberdeen, Montros, and so alongst the coast to St. Tabhead, and so to the coast of England."¹ Being chiefly in the hands of the Dutch, and regulated by the rules of the Dutch Fishery College, the fishing here began on the 24th of June and continued till the end of September.

Coke puts it that the first fishing, to the middle of August, was engaged in exclusively by the Hollanders, along with some 40 sail of Frenchmen.² The Scotch contemporary account, however, while admitting this to be the fishing "qch is used by the flemings," states "there is also imployed about 6 score vessels betwixt 3 and 4 Tuns apiece of the burrowes of Scotland"³—a statement much more in accordance with the tale of continual conflict between the Dutch and the native fishermen, whose chief cry it was that owing to their small numbers, they could not possibly adopt the violent tactics of their rivals in dealing with them.

Scotch herring boats were also engaged at Dunbar and upon the coast of Fife during August and September, and in the Firth of Forth during November. Another fishing took place in the "North Isles," from the 1st of October to the 25th of December. From the 1st of April to the 24th of June, the fishers upon the east coast of Scotland were

¹ MSS. 32.1.16, Advocates' Library, Edinburgh.

² "Propositions for Fishing," *Cal. S.P. Dom. Car. I.*, vol. 229, No. 78.

³ MSS. 32.1.16, Advocates' Library.

engaged in "ane whyte fishing of Kodling."¹ The great east coast fishing was carried on as far south as the coasts of Norfolk and Suffolk. About the 24th of August (Bartholomew Tide), the foreign fishing fleet was joined by about 300 English vessels, which, according to Coke, brought the fleet altogether to about 1400 vessels.² The fishing then continued till Martinmas, when the herring fleets of both nations returned home, "though the herring go stil along, and some are taken about Rye and Hastings."

Coke gives an interesting account of the manner in which the Dutch engaged in this fishing conducted their work, and of the benefits which accrued from the presence of so many men in the vicinity of Yarmouth and the neighbouring towns on the east coast.³ "Whilst the fishings continue, the Dutch, with above 1000 sail of busses, besides their jagers and other ships, victual themselves from our shore with bread, beer, flesh and butter, and dry their nets upon the land, specially in a field near Yarmouth, which is two miles in length, and they come ashore sometimes above ten thousand persons, which, besides the victualling of their ships, carry from hence to supply their country both corn, beer and beans in a very great proportion. Yarmouth alone employeth forty brewers for their service." It is strange that, in face of such facts, Charles and his advisers should not have felt that, if they were doing the English fishermen a service in trying to curtail the extent of the operations of the Dutch, they were certainly not seeking the interests of the English farmer and brewer in striving to deprive them of these valuable customers.

The Hollanders were accustomed to cure the herring on board their bushes as soon as caught, and, by Dutch law, were compelled to carry all herring caught and cured by Dutch vessels to Holland, where they were barrelled and

¹ MSS. 32.1.16, Advocates' Library.

² *Cal. S.P. Dom. Car. I.*, vol. 229, No. 78.

³ *Ibid.*

branded according to quality by Government inspectors.¹ These regulations had been instituted by the Dutch Government, in order that the reputation of Dutch cured herring might not be injured by the sale of inferior fish.

The English being anxious to protect the native fishermen, likewise sought to discourage the Dutch from landing their fish in England, and therefore, from motives of their own, endeavoured to make Dutch fishermen abide by Dutch law; the English regulation was, that if the Dutch landed fish in any town on the coast of England, they were required to sell the fish to the freemen of the place; they were not permitted to barrel them on shore, or to sell them to any except the free burghers—that is to say, there was to be no interference with the trading privileges of the free towns.

A fishing engaged in apparently exclusively by the English was the pilchard fishing, which took place in the west country from Dartmouth and Plymouth to Land's End; this fishing went on during July, August and September, and sometimes continued into October, "Plymouth is ye pryme place of that fishing and Pincens in Cornwall."²

In the seventeenth century, both English and Scotch companies sent vessels regularly to the Greenland whale fishing. This fishing had, by patent, been granted to the "Muscovie" Company, with the result that there had been disputes between this English company and a Scotch company established "upon a Scott patent," the consequence being that Scotland had been "disapoynted of Oyles."³ It is thus evident that, although Englishmen and Scotchmen were both jealous of the common rival, Holland, they had not yet come to look upon themselves as one united people. Scotchmen were anxious that English-

¹ Beaujon's Essay, p. 37 *et sequitur*.

² MSS. 32.1.16, Advocates' Library, Edinburgh. "Memorandum concerning the fishing along the coast of England, Cornwall, etc."

³ *Ibid.*

men should not be allowed to infringe upon what they considered their legitimate preserves, while the men of the Highlands and Islands were quite as hostile to the encroachments of the Lowland Scotch as to those of the Hollanders. In 1605, for example, it is stated in the *Records of the Convention of Royal Burghs*¹ that "the maist profitabill and easie fisching" exists among the isles and their lochs, but that the burghs "ar debarrit be the wiolence and barbarous crueltie, abusus, and extortious of the hielandis and cuntre men." Again, when in 1623, the Scotch burghs complain of the infringement of their privileges, they group "English men and Fleymings" together under the term "strangers," and ask that these be restrained from fishing "in the North and West Yles of this kingdom, it being ane tred onlie competent to the frie burrowis of this realm."² The royal and free burghs of Scotland were, in fact, as fully alive to the advantages to be gained from the fisheries as King Charles himself, and were anxious that none should reap these advantages save themselves.

Since this was the habitual attitude of the burghs, it may well be imagined that it was with no feeling of elation that, in 1630, they received the news that the king had at last formulated a scheme for the establishment of fishing as a national industry, and that his intention was to establish a Joint Stock Company, to include "adventurers," or shareholders from England, Scotland, and Ireland, which was to have the monopoly, with certain reservations, of the fishing in British waters. The royal burghs were all the more unwilling to entertain the idea of the fishing company on account of the fact that it was probable that the Isle of Lewis, where they particularly desired to guard their privileges, was likely to be selected as the chief fishing station of the company.

¹ *Records of Convention of Royal Burghs, Scot.*, vol. 2, p. 203.

² *Ibid.* vol. 3, p. 142.

Acting under a patent granted by James I., various adventurers had attempted to develop the resources of the Lewis, but had been compelled to desist owing to "the rudeness and violence" of the inhabitants.¹ Some of the adventurers lost their lives, and the others were easily induced to hand over their patent to the Mackenzies of Kintail, of which family Seaforth was chief. Seaforth sought to develop the fisheries of the island by means of the Hollanders, and gave the foreigners permission to settle on the island, granting them so many privileges as practically to deprive the native fishermen of all their ancient rights in the Lewis.²

In 1627 the Earl applied for a charter erecting the burgh and barony of Stornoway into a royal burgh. The Free Burghs of Scotland opposed this application, stating that such a grant would do great harm not only to Tain and Inverness, the burghs nearest the Lewis, but to all the royal burghs and the whole kingdom. John Hay, Town Clerk of Edinburgh, was commissioned to represent the whole matter to the King and the Privy Council. Before the case was heard, however, the Hollanders began to settle and to fish "with above a dozen sayle," for Seaforth was confident that his application would be granted. His confidence was not justified by the decision of the King and Council; as a result of Hay's representations, Charles resolved to withhold the promised Charter from Seaforth, and Seaforth was ordered to dispense with the services of foreign fishermen.³

The burghs now proceeded to urge the king to transfer these fishing rights in the Lewis to themselves, and, from letters received from John Hay, Town Clerk of Edinburgh,

¹ *Cal. S.P. Dom. Car. I.*, vol. 229, No. 78.

² *Cal. S.P. Dom. Car. II.*, vol. 339, No. 111.

³ *Records of Convention of Burghs, Scot.*, vol. 3, pp. 142, 279, 291, 302, 308, 318, 323.

were of opinion "that the borrowis are licklie to obteyne the said fishing devolved into their hands." A meeting of commissioners from the burghs to discuss the matter had been arranged for 23rd July, 1630, at Edinburgh, when all their hopes were destroyed. By a letter to the Scotch Privy Council, dated 12th July, 1630, the king announced his intention of establishing an Association for the Fishing, which should be common to the three kingdoms.¹ It was natural, under the circumstances, that the burghs should receive the news without enthusiasm. All the energy of the royal promoter of the Association did no more than gain an almost sullen acquiescence in his project from the Scots, whom the king would have done well to win over before proceeding further with the carrying out of his plans. Charles, ignorant as ever of the Scotch character, sought to drive where he ought to have used diplomacy and tact. The result was ultimately disastrous to the success of the company, for the burghs, if they never actively hindered its work, certainly did nothing to help, and were glad to leave as many obstacles as possible in the path of its progress. To their attitude may be attributed, in great measure, the ultimate failure of the enterprise to which Charles now applied himself with such zeal.

If the burghs had been devoting their attention to the fishings off the island of Lewis, those who were advising the king to establish the Association for the Fishing were also of opinion that these fishings admitted of much development and had some very definite proposals to make with regard to the island itself. They proposed to call in "those Letters Patents whereby this Island is alienated from the Crown, to grant a new Patent of Privilege to His Majesty's own subjects of both kingdoms to make plantations and erect towns, and to appoint a Governor to reside there only for three years, with power over all the islands, in every

¹ *Act. Parl. Scotland*, vol. v. p. 220 *et sequitur*.

one whereof a town may be built with a Citadel to command it." The Governor was to take order for the education of the children of the inhabitants of those islands, to teach them civility and to speak the English or Scottish tongue, and especially to breed them to fishing. The intercourse of the natives with the Highlanders of the mainland was to be stopped "specially yt they may not intermarrie with them." All foreigners, with their families, were to be asked to leave the island, so that they might no longer fish contrary to law.

If the Earl of Seaforth sought to place any impediment in the way of the accomplishment of these proposals, the king was to take the island and eject all strangers himself. A further proposal was that the Law Justices of Ireland be instructed to send a fleet to clear the coasts of foreigners, transport them to Ireland, and thence to their own countries. The final proposal and one containing a subtle element of humour was that the Earl of Seaforth should be sent for and "be made an adventurer."¹ It is to be feared that, after all these drastic measures had been carried out on part of his hereditary estate, he would have made no very active member of the Company.

¹ *Cal. S.P. Dom. Car. II.*, vol. 339, No. 111. "A Collection of Divers Particulars touching the King's Dominion and Sovereignty in ye Fishing." (April, 1633.)

CHAPTER III.

CHARLES I.: THE ASSOCIATION FOR THE FISHING.

IT was on account of the known aversion of the Scotch burghers and traders to any scheme for a national fishery which allowed others to participate in benefits which they considered peculiarly their own, that Charles, whose mind was absolutely fixed upon the establishment of this association, was at considerable pains to draw up, for the information of the Scottish Estates and the Privy Council, a lengthy statement embodying his views upon the subject. In July, 1630, Sir William Alexander, Secretary for Scotland, received instructions to communicate to the various governing bodies of Scotland, the king's wishes concerning the national fishery.

A letter was sent at the same time to the Privy Council and Estates, in which the king commended the question to them as one worthy of their attention, and stated clearly the end he had in view in inaugurating this scheme—"To the end we may at lenth injoy with more honnour these rights whiche properlie belong to our imperiall crowne and ar usurped by strangers, we have considered of a way which in tyme by gods favour may produce this good effect and also increase our navigation and trade. And becaus this work concerneth equallie all our three Kingdomes and must thairfoir be undertakin and ordered by commoun counsell and assistance, We have takin this opportunitie of your conventioun at Edinborrow to send our instructiouns to Sir

William Alexander, our Secretarie for Scotland.” The king ended his letter in a very practical fashion, by showing that he would not be content with any mere academic discussion of his proposals, but that he wished to commence, as soon as possible, the business of the association—“ We expect that you proceed not onelie to a resolutioun upon suche articles as sall be agreed upon, bot yow also endeavoure to put thame in executioun.”¹

In the “ Instructions for Sir William Alexander ”² were embodied the king’s views and his practical proposals with regard to the work of the company which he desired to form. The king is vexed that the benefits to be derived from the fisheries are “ reaped onelie by strangers. To the great disparagement and prejudice of our loving subjects.” He has “ now taken a royall and firme resolutioun to sett up a commoun fishing to be a nurserie of seamen and to increase the shipping and trade in all parts of our dominions.” His intention is to make the benefits to be derived from the fishing common to the three kingdoms. Sir William is instructed to lay the king’s estimate—a very sanguine one—of the cost of the fishing and the benefits to be derived from it, before the various public bodies of Scotland, in order that they may be induced to join in the enterprise themselves and encourage others to join in a work of “ so great hope.”

Two hundred vessels of between 30 and 40 tons³ each were to be added to the existing fishing fleet. They were to make “ three returnes everie yeare,” the first fishing to last from the 1st of June to the 30th of September, the second from 1st October to 31st January ; both of these

¹ *Act. Parl. Scotland*, vol. v. p. 220.

² *Ibid.* vol. v. pp. 221, 222, 223 ; *Reg. Privy Council, Scot.* vol. iv. (2nd series) pp. xviii-xxiii.

³ A buss of 35 lasts was one of 70 tons. See “ Britain’s Buss,” *English Garner*, vol. iii. Also see Appendix.

fishings were to be for herring. The third fishing was to begin in March and end on the 31st of May, and was to be for ling and cod. Each vessel was to be manned by 16 men and boys, the wage to be 13s. 4d. a month for each man.¹ After deducting all expenses of building ships, fitting out, victualling and wages, the king estimates the clear annual gain from the undertaking to be not less than £165,414.

The intention was that there should be one general joint stock company for the three peoples, and that there should be a "severall companie" in every "cheefe citie, toun or burrow" in which all "adventurers" of that district should join "both in the charge and contributioun for setting furth the shippes and in sharing the benefite."

Since the fishing season varied with particular parts of the coast, it was to be understood that the adventurers might "fish free lie in all places and at all tymes." It was, however, expressly stated that all adventurers must be "our owin liege subjects." No foreigners "of what natioun soever" were to be admitted, except as servants, unless they became naturalized.

Further, as the king regarded the island of Lewis as "the most proper seate for a continuall fishing along the westerne coasts," he intended to take it "as adherent to our crowne," on the understanding that he would render to the Earl of Seaforth such satisfaction "as sall be honourable and just." It was also his intention to erect one or more free burghs in the Lewis, in such places "as sall be fittest for advancing of the fishing and for magazines and stages."

The king concluded by asking that it be ascertained how much money Scotland would be prepared to contribute as its share, and directed the Privy Council to apply themselves

¹ Detailed in "Britain's Buss" thus, "16 men and boys; a master, mate, 4 ordinary sailors, 4 fishermen, 6 landsmen & boys to be trained by the ten former men in the Art of Sailing and Craft of Fishery."

in obtaining this information to the nobility and gentry, but especially to the free burghs.¹ On receiving these instructions the Estates appointed a Committee of Lords Spiritual and Temporal to discuss these matters with representatives from the burghs and report.

On August 8th the committee duly made their report.² After deliberation all parties were of opinion that the association with England in the fishing was very "inconvenient" to the estates. The Scotch "land fishings" extended 28 miles from the coast, "whilk is proper to the natives, and whair of they have beene in continuall possessioun and neuer interrupted thairin be the Hollanders." The Burghs felt themselves able to undertake this "land fishing" without the aid of "anie other natioun," and, in addition, declared that Englishmen could not legally fish in Scotch lochs and sell their fish in the Scotch burghs. As regarded the "Bushe fishing," they stated that the fishing season for the year was already far advanced, and that they required time to deliberate further on a matter of such importance to all.³

Although they had been furnished with this report, which indicated very plainly the reluctance of the Scotch burghs to enter upon any such scheme as that proposed by the king, the Estates now thought it would be well to have from the burghs definite answers to the following questions: Would the Scotch burghs and gentry enter into an association with the English for undertaking a common fishing, without any reservation, or did they desire to reserve the land fishing "within the loches, yles, and a land kenning frome the coasts"?⁴ In their reply the burghs were asked to state clearly their reasons "of desyres or refusall." With reference to this, the following "Observations and Answers to His Maj. letter to the Council," by a Scotch writer of

¹ *Act. Parl. Scot.* vol. v. p. 223.

² *Ibid.* vol. iv. pp. 226, 227.

³ *Ibid.* vol. v. p. 227.

⁴ *Ibid.* vol. v. p. 226.

the time, form an interesting commentary¹ as showing current contemporary Scotch opinion.

The writer says that the king seems to think the fishing of Ireland, Scotland and England, common to all his subjects, but that it is to be remembered that although the "fishings upon the coasts of Ireland and England has been enjoyed peaceably by ye natives of Scotland past memory of man without interruption," the "land fishing" in Scotland had always been reserved for the merchant traders of Scotland "and strangers debarred therefrom." The sea fishing off the west coast and in the islands of Orkney and Shetland he admits to be prosecuted for the most part by strangers, but "It is to be remembered that when either ye Dutch or English anchore in any sound of Shetland or Orkney, they pay certain duties for libertie of their anchorage, as strangers."

This same desire to retain the "land fishing" for the Scotch traders without interference from strangers, is apparent from the report of their objections to the proposals of the king given in, on November 30th, 1630, by the Scotch burghs. On three points they were very definite; they insisted that the "land fishing" should be reserved for the Scots themselves; they maintained that if, as the king had proposed, the English members of the company were to be given the privilege of "denization" in Scotland, the Scotch adventurers of the society must be naturalized in England, "seeing the denizioun which the English are to have in Scotland is equivalent to naturalizatioun in England"; finally they asserted that to erect free burghs in the Lewis was directly against "the standing right of regall burrowes."²

To all this, the English commissioners, who had been appointed by the king to meet the Scots and answer their

¹ MSS. 32.1.16, Advocates' Library, Edinburgh.

² *Act. Parl. Scotland*, vol. v. p. 228.

objections, so that all obstacles to his scheme might be removed as speedily as possible, replied that the king did not wish to infringe upon the rights of any of his subjects, and merely desired members of the association to participate in the common fishing at all places where this "is or may be used by anie of his people." The king hoped and desired that the Scots for their own advantage would help on the scheme with enthusiasm, yet he would not press them above their own measure. The satisfactory settlement of the question of naturalization would, the king thought, present no difficulty whatever.¹

At this time Charles, finding that his scheme was not meeting with such a reception as he had hoped for, wrote two letters, one to the Estates, the other to the Privy Council, in both of which he showed how much he had this matter at heart. He assured the Estates that he had no intention of doing anything which might interfere with the privileges held by any of the Scots, and asked them to send, as the best possible reply to his letter, commissioners with absolute powers to conclude the matter. He added a significant post-script: "This is a worke of so great good to both my kingdomes that I have thought good by these few lynes of my owne hand seriouslie to recommend it unto you. The furthering or hindering of whiche will ather oblige me or disoblige me more than anie one business that hes happened in my tyme."²

Similarly to the Privy Council he wrote, "Among other good services done be you for the publict good of that our ancient kingdome we will accompt this one of the greatest." Of the Privy Council he begged also that commissioners might be sent "with ane absolute power to conclude, for avoyding of all delays, becaus the work for diverse considerations requireth haste."³ On 11th November the Scots decided to send a new body of commissioners to treat with

¹ *Act. Parl. Scotland*, vol. v. pp. 229-230.

² *Ibid.* vol. v. p. 229. ³ *Ibid.* vol. v. p. 229.

the English commissioners, on the subject of the general association for the fishings. The Scotch commissioners were, The Earl of Menteith, President, The Earl of Morton, Treasurer, The Marquis of Hamilton, The Earl of Roxburgh, The Earl of Carrick, Sir William Alexander, Secretary, Mr. John Hay, and Mr. George Fletcher. These or any five of them were given absolute power to conclude upon all matters concerning the intended association.¹

The instructions given to these commissioners are interesting as showing the views held at the time upon fishing rights. After some general directions anent guarding the interests of Scotland, the commissioners were asked to declare "that the seas foreanent the coasts of this kingdom and about the yles thair of, and all that is interjected betuix thame and that midlyne in the seas whilk is equallie distant and divyding frome the opposite land, ar the Scotish seas, properlie belonging to the crowne of Scotland, and that the English hes no right nor libertie to fishe thairin, nor in no part thair of, bot be vertew of the associatioun and not other-ways."

Again, they were to reserve the fishing "within the loches, firthes, and bayes, within the mayne land and yles of this kingdom, and, in the seas, within fourteen myles of the coasts of the said mayne lands and yllands."

They were to be careful that the English and Irish got no privilege in Scotland, which the Scotch were not allowed in England and Ireland. Further, the king was to be asked to style himself in all documents "King of England, Scotland, France and Ireland," so that Scotland might no longer be confounded "under the name of Great Britane, altho there be no unioun as yitt with England nor the style of Great Britane receaved there."²

¹ *Act. Parl. Scotland*, vol. v. p. 230.

² *Ibid.* vol. v. pp. 232-3; *Reg. Privy Council, Scotland*, vol. iv. (2nd series) p. 57.

Not content with these general instructions to the commissioners, the Convention of Burghs gave particular directions to Mr. John Hay, whom they had appointed to represent their interests in the negotiations. They desired him to have fishings reserved "appropriat to the burrowis." To effect this they were willing to compromise with the king; the English might "plant in the Yle of the Lewis, provyding they fisch not in the reserved watters and haif no magazins nor plantatiouns in anie uther of the west or north Illes, nor benorth Buchan Nes nor Crumartie." At the same time, however, he was to carefully premise that the right of the burghs to fish in the said isle of Lewis was not hereby surrendered. The English were to be allowed to have "magazines" in any town south of Buchan Ness, except the town and harbour of Aberdeen.

In return for these concessions, the Scots desired Hay to make certain requests of the king; he was to ask that effectual steps might be taken to remove the "Fleymings" from the isle of Lewis, Shetland, Caithness, and all other places to which they resorted, and that all natives should be prohibited from dealing with them; he was also to obtain the king's promise that negotiations would be opened up with the Government of the Low Countries, so that their fishermen might not approach nearer the land than "ane land kenning off." Finally, he was to gain permission for Scotch fishermen to engage in the annual Pilchard fishing of England.¹

Thus instructed, the Scotch commissioners set out for London to confer with the English commissioners already appointed. On 31st March, 1631, a letter was received in Edinburgh from the Scotch representatives, who desired that the Scots should state in particular terms what fishings they wished reserved for the natives.² The commissioners

¹ *Records of Convention of Burghs, Scot.*, vol. iii. p. 323.

² *Act. Parl. Scotland*, vol. v. pp. 234-235; *Reg. Privy Council, Scotland*, vol. iv. (2nd series) p. 181.

had already demanded "all firthes, loches, bayes, and yles, with some distance from the land," but this had been considered too much by the English commissioners, who desired that the reserved fishings should be confined to "so much without the whiche the natives cannot subsist."

The matter of the reserve was referred to the commissioners from the burghs, who, after much deliberation, finally asked that the sea upon the coasts to a distance of 14 miles and within all lochs, bays, and firths, should be reserved; they pleaded "if these seas should be exhausted by strangers of fishes, they should be deprived of all benefite of living" and the inhabitants "should be brought to extreme misery."¹

The Lords of the Privy Council, however, thought this reserve too great, and submitted a reservation of their own to the commissioners. "Upon the east coast of Scotland from Sanct Tabsheid in the shiredom of Berwick, Directlie north to the Reidheid in Angus, whilk comprehends the coast of the Merce, Lothiane, the firth, Fyfe, and a part of the coast of Angus, and fourteene myles without the course from the said Tabsheid to the Reidhead.

"Frome the Reidhead, north northeast alongs the coast of Angus, Mernes, Mar, and Buchan, to Buchhannesse, and fourteene myles aff the said coast.

"From Buchhannesse, northwest and be north to Dungisbieheid in Caithnes, Comprehending thairin the coast of Banff and Murrey upon the south side Murrey firth, and the coast of Rosse, Sutherland, and ane part of Caithnes upon the north, and 14 myles without the course from the said Buchhannesse to the said Dungisbieheid.

"From Dungisbieheid about the east side of the whole yles of Orkney to the northmost yle of the same callit north Rollandsey. And frome that west and south about the

¹ *Act. Parl. Scotland*, vol. v. p. 235.

Holburneheid in Caithnes, keeping always 14 myles free aff the coast of all the said yles and course foresaid, and als the mayne yland of Yetland and yles adjacent thairto, with 14 myles frome the coast of the same.

“And als from Holburneheid in Caithnes to the Stoir of Assint, keeping 14 myles aff the coast during the whole course thairof. And frome the Stoir of Assint to the north-east point of the yle of the Lewes. And fra that south be the east coast of the yle of the Lewes and yle of Vst to the yle of Yla and south-west part thairof. And fra that to the Mull of Kintyre.

“And thairfra to the mull of Gallouay, Comprehending the whole loches and bayes within the saids Yles of Lewes, Vst, and Yla, upon the east side thairof, and all yles and loches betuix the saids yles and the mayne land, according to the course foresaid.

“And fra the mull of Gallouay to Solouay sands with fourteene myles aff the coast as the course rins.”¹

Explaining these modifications of the demands of the burghs, the Council, in a letter to the commissioners, showed that this was an “allowance of ane reservation of fourteene myles aff suche coasts of the kingdom as ar well peopled and where the countrie people lives most by fishing, without the whilk they could not possibly subsist nor yet be able to pay thair maisters thair fermes and dewteis. Quhilk is so considerable a point that it wes found be the Table that if there had beene ane bushe fishing erected in Scotland, there would have beene a reservation of all fishing within these waters for the use and benefite of the countrie people, for it cannot be qualified that ever anie Hollander or other stranger fished in these waters.” They expressed themselves as anxious to guard the privileges of the burghs, and submitted both the proposals of the burghs and their own

¹ *Act. Parl. Scotland*, vol. v. pp. 234-5; *Reg. Privy Council, Scotland*, vol. iv. (2nd series) pp. 551, 552.

proposals to the commissioners, leaving them to adopt those which they thought best.¹

On 20th July, 1631, a reply was received from the king himself, in which he expressed himself as dissatisfied with both sets of proposals. He thought that since members of the association were to have liberty to land anywhere upon payment of the usual dues, they ought to be permitted to fish, "wherever they had to pass." He was willing to reserve for the natives "all suche fishings without whiche they cannot weill subsist and whiche they of themselves have and doe fullie fishe," but he was determined that no hindrance should be placed in the way of the carrying out of "this generall worke."²

Acting upon this letter, the Council instructed the Burghs to revise what they had already done and arrive at a definite decision as to what fishings they considered absolutely essential to the subsistence of the natives.

On the 21st September, 1631, the Gentry and Commissioners for the Burghs, assembled at Perth, made a final declaration embodying their modified demands. After these declarations had been considered by the Privy Council they wrote to the king saying that they thought it necessary to reserve the "firthes of Lothiane, Murrey and Dumbartane." These firths were defined by the burghs thus: the "firth of Lothian" "betuix the heids of Sanct Tobsheid in the Merce upon the south and the reid head in Angus upon the north"; the "Murrey firth," "betuix Buchannase in Buchan and Dungisbieheid in Caithnes"; the "Dumbartane firth" "betwix the Mule of Kintyre and Mule of Gallouay."³ The Privy Council asked the king to reserve also "fourteen myles aff the coast interjected betuix the saids firthes in respect that the countrie there is weill peopled and that the salmound fishing may otherwayes be spoyled."⁴

¹ *Act. Parl. Scotland*. vol. v. p. 236.

² *Ibid.* vol. v. pp. 236, 237.

³ *Ibid.* vol. v. p. 237. ⁴ *Reg. Privy Council, Scotland*, vol. iv. (2nd series) p. 340.

The Burghs had desired very extensive reservation of the fishings in the lochs on the mainland and in the islands, reserving for the most part all inland fishings. With regard to Orkney and Shetland they had said it was necessary to reserve all the coasts and fourteen miles off the islands, although they were willing to submit in this matter to the king's pleasure.

The Council thus reported to the king that the Burghs were willing to "relinquish the universalitie of thair former exceptiain and to restrict the same to certane particular fishings without the whiche (as they affirme) the trade of the countrie will be mucche impaired."¹

That the Scots were by no means reconciled to the idea of a joint fishery is evident from the following "Reasons why the English and Scots cannot join in ye fishing on ye sea coast, Isles and loches etc.," from a contemporary MSS.² The writer tabulates his reasons thus: "Inprimis, because we are natives of the Island, and ye sole liberties and priviledges of ye sd fishings belong to us within lochs and lands and along the coast, and no stranger ought to be admitted to ye liberties of ye samen to participate with us of ye com-moditie thereof.

"2ndly, In respect the Lord God hath given to us the fishing of ye Lochs, Isles and Seas of this land to be the wealth and ritches of ye land, therefore no oyr stranger ought to have ye benefite of the same bot ye natives only.

"3rd, Where it is alledged that the fishing is so great that the natives are not able to undertake it, It is answered concerning the fishings on the Lochs and Isles and upon the coast that ye natives are abell to provide for slaying and takeing of those fish within those bounds.

"4thly, Albeit bushes be required for fishing upon ye main sea, yet bushes are not needful nor required for fishing

¹ *Act. Parl. Scotland*, vol. v. pp. 238, 239.

² MSS. 32.1.16., Advocates' Library, Edinburgh.

within the lochs, isles and upon the coasts, but ye nation is provided, and may be provided of oyr sufficient vessels for fishing within all those bounds.

“ 5thly, If any stranger should resort to ye lochs and Isles, they should not only harm and hurt us of the fishing, but likeways should buy up all ye commodities of ye land whatsor, both in Isles and mainland adjacent yrto, so that the natives should be wholly debarred therefrae.

“ 6thly, If any strangers should be permitted to fish in our liberties, these would not only prejudice us but the hail countrie, for when ye fish ar taken by the natives, they are brought home to ye countrie and the countrie served by them, whereas strangers would carry the same away, and ye countrie people would receive no benefite.

“ 7thly, If the English and we were agreed to fish together, it would prejudice the countrie, by reason when we have gotten fish as they have gotten, we bring home our fish to ye countrie, and when we transport our fish out of the countrie to any land or any oyr part else we must pay the king’s custom and bullion, as likeways we must pay it in England, so we pay twice customes and bullion gras the English pays none, so that they may sell their commoditie a great deal cheaper, which will redound to our great hurt.

“ 8thly, Albeit it be by his Majesty’s will to have all his fishings common to his leidges, it is answered it is no reason that the English should be partakers of our commodities be reason they cannot do the like benefite to us, but only that is common both to the ffrench and fflemings.”

The king, however, although he must have been well aware that his scheme was evoking no great enthusiasm in Scotland, was determined to carry it out, and in September, 1632, “after long tyme and manie meetings between the commissioners of both our kingdomes for a generall association for the fishing, wherent we our selfe for the most part

was pñt,"¹ sent to the Privy Council the charter of the association, as consented to by the commissioners.

By this charter, he "erects ane societie of the natives of His Majesty's dominions and denizenis dwelling and residing in the same, and of others assumed and inrolled in the counsell of the said Societie," "Secluding all others strangers and forraners whatsomever." In the preamble to the charter, he again speaks of the profit to be derived from the association "als well in warre as in peace" and of his hope that the kingdom may be rid of a great burden by means of this association "be accustoming lazie and ydle people to worke, and instructing thame in the trade of fishing."

The society was to have a council of twelve, nominated by the king, of whom the one half were to be Scotsmen, the other half English or Irish. It was to be styled "The Counsell and Commountie of the fishing of his Majesty's dominions of Great Britane and Ireland," and was to be under the direct protection of the king and his heirs. The members were to be life members. The society was to be empowered to make statutes for the regulation of its work; these statutes were to be approved by the king, and were not to interfere with the laws and liberties of the king. Those of the association breaking the rules were to be fined or imprisoned. Four judges, two of them Scotch, two of them English or Irish, were to be appointed in every province and town where the society had stations; these judges were to settle all fishing disputes and were to have jurisdiction over those engaged in fishing.²

Whenever "ane navie of fishing shippes mair or lesse of what kynde soever" was at sea, the masters and merchants themselves were to elect out of their number four or more "most able judges depute," one half Scotch, the other half

¹ *Act. Parl. Scotland*, vol. v. p. 244; *Reg. Privy Council, Scotland*, vol. iv. (2nd series) p. 555.

² *Act. Parl. Scotland*, vol. v. p. 239.

English or Irish, to administer justice during the whole time of the voyage.¹

Anyone "who is native or denizat" was eligible for membership of the society, provided he was willing to abide by its statutes, and this membership was "without anie exactioun whatsomever." The society was given the right to all sea-fishing, with the reservation of the salmon fishing and of the fishing in the creeks and firths specially mentioned. Sheds and landing stages were to be built at certain points on the coast to be agreed upon, a fair price to be paid to ground landlords for ground so used. The fish were either to be brought to land, when the usual dues were to be paid, or were to be transported to foreign ports and retailed there. The society's fishers and servants, boats and ships, were not to be seized upon for the king's service, except by special warrant; while members of the society and those engaged in its work were excused from service on "recognitiouns or inquisitiouns," from being collectors of tithes, "or other burdens or impositiouns."

The society was granted an absolute monopoly in the trade in fish. It was expressly ordered that "No person whatsomever not being in the said Societie Transport or caus to be transported anie sea fishe takin within his Majesty's dominions, or brought within the same ellis where furth of the saids dominions in merchandice." The society so far as property held in common by its members was concerned, was freed from the ordinary tithes and taxes, "granted by Parliament or any other way."

It was, however, to pay the usual harbour tolls and local dues "in harbereis, mercats, faires, bridges, villages, or hie wayes," "according to the law and custome of the place where they ar exacted."²

¹ *Act, Parl. Scotland*, vol. v. p. 242.

² *Act. Parl. Scotland*, vol. v. p. 243; *Reg. Privy Council*, vol. iv. (2nd series) p. 353.

In deference to Scottish opinion two charters were drawn up ; in the first the great seal of Scotland and England came first, in the other the great seal of England and Scotland came first. These charters were dated Westminster, 19th July, 1632. Along with the charter sent to Scotland, the King sent a letter commending the work of the association to the Privy Council ; at the same time he sent by the Earl of Strathearn further instructions to the Council with regard to the "royall work of the fishings." Among other things, the king asked the Council to consider "how necessarie it is for the yles fishing that plantatiouns be made in the most commodious places of the yles and thairfoir to condescend upon the places where the same sall be and of the meanes how the same sall be continued and brought to perfectioun." They were also "to consider how best to take sufficient surety from landlords of the isles and lochs on the mainland adjacent to the isles, that members of the societie be free from all oppression and violence." It was further requested that they should announce to these landlords and their tenants that the members of the society were to pay only such tolls and dues as were customary, and, in this connection, the king asked that it should be ascertained what were these customary tolls and upon what grounds they were levied. It was to be proclaimed that all strangers in the isles, and especially in the Lewis and the Shetlands, were prohibited from fishing or trading, as ordained by Act of Parliament. Finally, the Council was to take means that all members of the society, whether Scotch, English, or Irish, resorting to the isles, lochs, or seas of Scotland might be "kyndelie and weill used, and by all means encouraged to prosecute the said worke." ¹

In order to secure for the association, as far as lay in his power, the good offices of the Scots, Charles now gave his

¹ *Act. Parl. Scotland*, vol. v. pp. 243-6 ; *Reg. Privy Council, Scotland*, vol. iv. (2nd series) pp. 541, 556.

ultimate decision with regard to the fishings to be reserved for the natives. His letter, dated Oatlands, 31st July, 1632, stated, "It is our will and pleasure that none by vertew of the gñall association for fishing sall fishe betweene St. Tabshead and Ridhead, or in anie place within that firth, and, for Clyde, That none fishe between the Mules of Gallouay and Kintyre, or in anie place within the same except the natives, according to the ancient custome."¹

At the same time the king sent to the Privy Council a letter complaining of the unseasonable destruction of herring fry at Ballintrae, stating that this was detrimental to the fishing on the west coast and also to the fishing on the parts of Ireland opposite. He asked that proclamation be sent to all in authority in the district that this "unseasonable fishing must cease in all time coming." With regard to this matter, the Privy Council sent for Sir John Hamilton of Barganie, asking him to attend by the 17th of October, the meeting of Council, which had been convened to discuss the charter for the fishing and the king's instructions.² At this meeting five of the commissioners for the fishing were present, who, as showing the interest the king had taken in all their proceedings, reported that the king had "honoured almost the haill meetings for this treatie with his royall presence."³

The Privy Council, after hearing the statement of the commissioners, entirely approved of all that had been done, and were evidently of opinion that the king, in reserving for the native fishermen so much of the fishing round the coast, as he had indicated in his last letter, was acting very generously towards them. The burghs, however,

¹ *Act. Parl. Scotland*, vol. v. p. 245; *Reg. Privy Council, Scotland*, vol. iv. (2nd series) p. 555.

² *Act. Parl. Scotland*, vol. v. p. 246; *Reg. Privy Council, Scotland*, vol. iv. (2nd series) pp. 541, 542.

³ *Reg. Privy Council, Scotland*, vol. iv. (2nd series) p. 555.

less dependent upon the royal favour, and still afraid of possible encroachment upon their trading privileges by the members of the Association for the Fishing, were by no means satisfied, and now asked the Council to request the king that he should extend his declaration concerning the places reserved for the natives "to the seas lying betuix Buchanesse and Ridhead, at the least foure or fyve myles aff the coast lying betwix the saids points, as alsua to the loches of Lochtarbet, Lochstornoway, Lochmade, Lochponte, and upon the mayne of Lochbrome."¹ To this, however, the Council gave a blunt refusal, alleging as their chief reason for declining to ask Charles to reconsider his decision that the commissioners who had been engaged in settling the conditions under which the work of the Association for the Fishing was to be pursued "could not assist ane petitionne for recalling their awne doings."²

Recognising, apparently, that any further protest would be in vain, and that it was the better part to accept the inevitable with a good grace, the burghs now proceeded to show to what extent they would be able to co-operate with the Association for the Fishery, and thus render the enterprise in reality a national one. After giving a list of the places which, in their opinion, would if properly equipped prove suitable fishing stations, they stated that, from the towns on the north and south coast, they could "reik out for the bushe fishing" some sixty vessels, of twenty tons each and upwards, a number, however, "farre inferiour to that whilk in preceeding yeeres went out of these bounds;" the west country, they said, could provide "aucht great shippes and fifty-two boats attending the shippes."³

All being now definitely arranged, the Privy Council, on the 20th October, 1632, made proclamation of the founding of the Society for the Fishing, the places reserved for the

¹ *Reg. Privy Council, Scotland*, vol. iv. (2nd series) p. 551.

² *Ibid.*

³ *Ibid.* p. 552.

use of the natives being defined as in the charter sent by the king. The charters of the Association having been sealed as Charles had directed, a letter was despatched to him to announce that his instructions had been fulfilled in every detail, that the establishment of the Association, for which he had worked so earnestly, was now accomplished, and that all acknowledged "the king's great grace and favour and care of thair subsistence at hame and employments abroad for increasse of trading, shipping and seafaring men, as the principall strenth of your Majesties dominions." ¹

¹ *Reg. Privy Council, Scotland*, vol. iv. (2nd series) pp. 555, 556.

CHAPTER IV.

CHARLES I. : THE ASSOCIATION FOR THE FISHING ; ITS WORK IN THE LEWIS.

CHARLES had by 1632 finally achieved his purpose of establishing an Association for the Fishing. It now remained to equip this Association with vessels and all necessary materials for fishing, and to appoint a governing body to manage its affairs. It was agreed that England should provide 200 "busses," or large fishing vessels, while Scotland was to furnish about forty similar vessels, paid for at English rates and "provided with salt, victuals, and casks," the total cost of building and in every respect outfitting a bush of forty lasts being at this time £835.¹ The fleet of the Association, however, does not seem at any time to have approached within measurable distance of the numbers thus agreed upon. The first operations of the society were conducted with a few vessels, and amidst circumstances of some difficulty ; those entrusted with the management of affairs wisely resolved to defer the augmentation of their fleet until more favourable conditions should present themselves, and these conditions never came.

On July 19th, 1632, a commission was addressed to the Lord Treasurer Weston, the Earl of Arundel and Surrey, and many others, constituting them the Society of Great Britain and Ireland, of which Charles himself was to be "perpetual protector." A council of management was

¹ *Cal. S.P. Dom. Car. I.*, vol. 206, No. 47 ; *Ibid.* vol. 229, No. 97.

nominated, composed one half of persons of English or Irish descent, and the other half of persons of Scottish descent.¹ Captain John Mason was appointed "Receiver and Expenditor," being authorised to provide fishermen, shipping and nets,² while Edward Nicholas and James Philp were appointed Clerks of the Society, their appointment dating from July 23rd, 1632.³

Each member of the Association undertook to "adventure" a certain sum. In the list⁴ of those who agreed to join the Association and who inscribed their names "in Mr Attorney's book," are included the Lord Treasurer, who agreed to pay £1,000; the Lord Chamberlain and the Earl of Rutland, who paid £500 each; Katherine, Duchess of Buckingham, £3,000; Attorney General Noy and Sir John Hippisley, £200 each; Sir Thomas Middleton, Sir Anthony Irby, John Lord Poulett, John Ashburnham, John Chamberlain, Endymion Porter, Susan Countess of Denbigh, Lord Fielding, Sir Toby Matthew, and many others, £100 each; some few persons ventured £50 each; the sum of the subscribed capital of the Association amounted to £11,750.⁵

Captain Mason had definitely decided to abide by the king's decision that the Island of Lewis should be the chief centre of the operations of the Association, and now proposed that the associates should be naturalised as Scotchmen and made burghers of Stornoway, which was to be made a royal burgh. This would enable them to engage in other forms of trade there, besides fishing. The king was to purchase the island from the Earl of Seaforth; he was to have the whole of the petty customs of the island, and was to fix a reasonable rate for the Association to pay for the use of the harbour and for ground leave; the ships of the Association were

¹ *Cal. S.P. Dom. Car. I.*, vol. 221, No. 1.

² *Ibid.* vol. 229, No. 96.

³ *Ibid.* vol. 221, No. 21.

⁴ *Ibid.* vol. 231, No. 15.

⁵ *Ibid.* vol. 331, No. 15.

also to have free access to the various harbours and lochs on the mainland opposite Lewis. In that island an armed force was to be maintained by the Association, so that its interests might be protected. So sanguine were the expectations concerning the enterprise that six acres of ground near Deptford were fixed upon, on which "workhouses and dwellings" were to be built for the poor people, who, it was thought, would soon be employed by the company in the spinning and making of nets.¹ As regarded the fish caught, it was decided that all were to be sold within the British Isles, "except the summer herrings, which are only fit for the market in Muscovia, Poland, and other islands."²

Unfortunately, however, the Association never had occasion to carry more than a very few of these decisions into effect. It was soon evident, indeed, that Mason and the other managers of the undertaking were insufficiently acquainted with the fishing grounds round the Lewis. Great preparations were made, land being bought and fishing stations erected for the curing and packing of the herring. But the fish had first to be caught, and in this work, their ignorance of local conditions so hindered the fishermen of the Association that a great part of the outlay was lost.³

At first, however, all seemed favourable. Captain William Buxton, for example, writes to Nicholas on May 25th, 1633, that he has just arrived at the Lewis and found all going well. The Earl of Seaforth he finds to be ready to do all that he can to further the interests of the society, and this attitude of the Earl animates the natives to do likewise. He thinks the fishing in the Lewis will be very successful, not only for herrings but also for ling and cod.⁴ He hopes, indeed, to

¹ *Cal. S.P. Dom. Car. I.*, vol. 229, No. 95. ² *Ibid.* vol. 229, No. 100.

³ Simon Smith, *A True Narrative of the Royal Fishings of Great Brittain and Ireland* (1641).

⁴ *Cal. S.P. Dom. Car. I.*, vol. 239, No. 51.

be able "to furnish London with some plenty against the hard time of winter."

The busses of the Association did not, of course, confine their attention to the seas around the Lewis. It was soon found, in fact, that the fishing on the coast in the lochs and about the islands near the Lewis was "very commodious and profitable" to the native fishermen, with their smaller vessels, but was by no means so suitable for large busses such as those owned by the company.¹

Around the coasts of Britain, fishing was carried on in very much the same fashion as in former years. Simon Smith, agent for the Royal Fishery, writing in 1641, gives a detailed account of the operations throughout the fishing season, his statement differing little in general character from those we have already seen.² The fishers, according to his narrative, were accustomed to resort to the coast of Shetland by the beginning of June, and looked for the herring to "rise about Crane Head . . . the outmost part of Bratio Sownde, within two leagues, sometimes more, where the Herrings doe abide about fourteen dayes." Thence they went to "Farry Isle, which is within seven leagues to the Southward of Sheteland where the Herring continue three weekes round about that Farry Island."

The next fishing ground lay "thirty leagues to the Southward of Farry Iland, the Fishing place called Buffin Deepes, twenty leagues to the Northward of the Frythe, where the Herring abide about fourteen dayes, and fourteen dayes more in the Fishing under Chivet Hills and Chivet Chase."

Thence the fishers followed the herring to the Dogger Bank, where they stayed sometimes a month, sometimes six weeks; about the beginning of September the herring were followed "into the Yarmouth Seas"; the fishing

¹ *The Herring Busse Trade* (1641), by Simon Smith, agent for the Royal Fishery.

² *Ibid.*

continued there until the beginning of November ; hence the herring went “to the southward, being followed with small fisher boats, but dangerous for the Busses to follow them.” Near the Isle of Man was “a great appearance of herrings” ; this, in the opinion of the writer, afforded a fishing “most proper for those of Liverpool, but unprofitable for Busses to be sent from other farre remote parts.”

The various kinds of herring are described thus by Smith. The first variety he calls “Seastick,” of which “seventeen Barrels made twelve Repacked Barrels” ; “the manner is to take out the herring, washing them in their owne pickle, and so lay them orderly in a fresh barrel, which have no salt put to them, but trodden down as close as may be, and so headed up.” The second class was summer herring, “Full and Shotten herring” ; the third, “Crux Herring” (the 14th of September being Exaltio Crucis). These were all “full herring,” made “with salt upon salt,” and carefully sorted out. “Corved Herrings,” used to make red herrings, were those taken about Yarmouth, “provided that they can be taken on shore two or three dayes after they be taken, otherwise they must be pickled.”

There follows his quaint recipe for the pickle, “For making of the Pickle, the observation is, that it must be so strong as that a herring will swim in it, and then it doth so pine and overcome the nature of the herring, that it makes it stiffe and preserves it, otherwise, if the pickle bee weaker than the nature of the herring, it will overcome the strength of the pickle, and so the herring will decay.”

Though the ships of the Association participated, to a certain extent, in this east coast fishing, the promoters of the company clung to their project of developing the fishing in the Western Isles, probably because they felt that in this region there would be least interference on the part of the omnipresent Dutchman. The scheme, however, had scarcely been launched before there were complaints from the

managers of the Association that the Dutchmen, totally disregarding royal proclamations against them, were fishing and trading as usual in the Western Islands, and that in this they were being encouraged by the landlords and heritors of the district, who were, in addition, hampering very seriously the work of the company by demanding exorbitant dues from the masters of its ships. In response to these complaints, the Privy Council granted Archibald, Lord of Lorne, the Great Marquis, and Neil, Bishop of the Isles, a commission to enquire into the matter, so that the landlords concerning whom the complaint was made might make some working agreement with the Association. A meeting was accordingly convened at Inveraray on 29th August, 1634, at which the various landlords answered to the questions of the commissioners that it was "an ancient custom, and in use to be done past memorie of man," for every one of them "in whois bounds the herring fishing fell out," to exact "satisfacioun for ground leave and ankerage." For many years past they had taken from every herring boat or ship resorting to their coasts a barrel either of meal or of ale as the owner pleased; for every anchor laid on shore six shillings and eightpence was charged; for every last of herring taken they exacted three pounds money; in addition to this they were given the whole proceeds of every Saturday's fishing. This ancient custom had been formally ratified by a contract between certain of the islands and some east coast burghs, made about the year 1620. The landlords, however, claimed that their demands had been greatly modified in favour of the Association, as they now charged only thirty-six shillings Scottish money to a ship engaged in the herring fishing, and twenty marks to a ship engaged in the "gray and whyte" fishing.

When interrogated concerning dealings with foreigners, the islanders all declared that they had had no dealings with foreigners since the formation of the Association, except for a Dutch ship, which came to Lochmadie to the

herring fishing, "having the deputie of Ireland his war-rand," and four French ships which came with some men from Ayr, but which transported no merchandize "bot herring and other fishes."¹

In spite of their protests to the contrary, however, it was clear to all that the men of the Isles were determined to treat the members of the Association as trespassers, and that they would hinder, as far as they could, the work of the society. Nor was this to be wondered at; the islanders found themselves dispossessed of their natural rights and confronted with the operations of a wealthy corporation, which had already been granted great privileges. The island landlord and tenant alike saw much reason to fear an extension of those privileges in the future, and knew well that complaint would be futile in a case where the king himself was interested. Only by petty acts of violence and hindrance could they show their resentment of the situation thus forced upon them, but they were not slow to avail themselves of every opportunity that presented itself of inflicting some damage upon the property of the Association, or of harassing its captains and fishermen.

On May 28th, 1635, the adventurers of the Association, irritated by the tactics of the islanders, made formal complaint concerning the conduct of the "country people" of the Lewis, and, as a drastic measure, urged that none should be allowed to carry on fishing operations near the island "except those admitted by the Council for the Fishing."²

On June 19th, 1635, the committee of the Association, sitting with the Earl of Arundel and Surrey as chairman, followed up this general complaint by a petition addressed both to the King and the Council in Scotland, in which they

¹ *Reg. Privy Council, Scotland*, vol. v. (2nd series) pp. 414-416.

² *Cal. S.P. Dom. Car. I.*, vol. 289, No. 62.

gave a detailed account of various injuries inflicted upon their servants by the islanders.¹ They averred that on 19th January, 1635, two of their ships were driven ashore at Stornoway, the vessels, however, being saved with goods and crew. A certain fisherman of Crail, called Thomas Lindsey, had then come forward, asserting himself to be deputy of Lord Linlithgow, Vice-Admiral of Scotland, and had seized the ships and cargoes as wreckage. This man, when remonstrated with by the English seamen, had not only vilified their certificates, but had affirmed that King Charles had no jurisdiction in the Isle of Lewis, and had vowed to be the death of every Englishman in the island.

Again, while the vessels of the Association had been fishing in the lochs, the highlanders had come upon them, armed "with swords, bows and arrows, and other warlike weapons," and had carried away their kettles and other necessary articles, pretending that these were seized in lieu of the usual duties due to the landlords. Such "insolences" as these had become of too frequent occurrence to be patiently endured any longer, and it was therefore to be expected that the Association should petition the king to order his Council to take measures to punish the daring islanders.² The committee had already resolved to send four "judges" to Stornoway to settle all matters in dispute regarding the fisheries and the conduct of the fishermen, declaring that "in matters of difference touching ground leave, erecting of houses, drying of nets, payment of duties, or other questions whatsoever concerning the fishing business, the parties grieved should repair to the judges deputed for redress, and not be compelled to sue or answer in any other court."³

With reference to this decision, complaint was made on June 24th, 1635, at a meeting of the Council of the

¹ *Cal. S.P. Dom. Car. I.*, vol. 291, No. 4.

² *Ibid.* vol. 291, No. 4.

³ *Ibid.* vol. 291, No. 6.

Association at which the king himself was present, that fishermen of the association were being called away from the Lewis to answer questions concerning fishing matters before the Admiralty of Scotland in Scotch courts. The king, on hearing this, emphatically declared that "he would not have the fishermen of this society questioned for anything concerning the said fishing business in any Court, or before any other judges, than this council only and such judges as shall be by them deputed."¹

It was evident that the king was now aroused to action on behalf of his favourite scheme. On July 13th, 1635, he addressed to the Council in Scotland a vigorous letter on the subject of the wrongs done the Association for the Fishings of Great Britain and Ireland, asking them to see that all goods unjustly taken were restored and the delinquents punished. At the same time, the king addressed a similar letter to Sir John Hay, Clerk Registrar, telling him that he had made choice of him to have the abuses corrected and the offenders tried and punished, so that the business of the Association might proceed without interruption.

On the same date, another letter was sent to George, Earl of Seaforth, whom the king evidently suspected to be no enthusiast for the prosperity of the fishing. Charles gave him a full account of what he had written to the Council in Scotland, and advised him to do his best to assist a work in which the king himself was so much interested, and which could not fail to be of immense public benefit.²

These letters were not without their effect; the Council of Scotland, on 6th August, 1635, issued a proclamation warning the islanders against molesting the members of the Association, as they had been accustomed to do.³ They had been taking the law into their own hands, coming "in

¹ *Cal. S.P. Dom. Car. I.*, vol. 291, No. 44.

² *Ibid.* vol. 293, No. 100.

³ *Reg. Privy Council, Scotland*, vol. vi. (2nd series) p. 96.

troupes and companeis out of the yles where they dwell to the yles and loches where the fishes ar tane." They had acted like so many pirates, despoiling the fishers of their catch, and sometimes of their provisions, and causing them to be in fear of their lives. Henceforward they must come "with good and lawfull warrand in writt from their maisters and landslords"; they must be provided with all things necessary for fishing, and must act "modestlie and in good order" "under the pane of most severe and exemplarie punishment to be inflicted upon them." Any who did come without such written warrants were to have their boats and vessels arrested, their sails taken, and permission to go to sea withheld. The Council, to render this proclamation more effective, warned landlords that they would be held responsible for the good conduct of their servants and tenants.¹

Charles, however, had come to realise that the best means of ensuring the compliance of the islanders with these proclamations, and of keeping the landlords and heritors of the Lewis and the adjoining parts from interfering with the work of the Association, was to win over the most powerful of them, the Earl of Seaforth, who had felt himself injured ever since Charles, upon the founding of the Society for the Fishing, had seized upon the island of Lewis as his own peculiar property. Entering into negotiations with Seaforth, therefore, the king in 1636 concluded an agreement with him, and on 13th March, 1637, granted him a charter of the Lewis, reserving to the crown, however, the town of Stornoway, with its castle, haven, and port, and as much of the adjoining lands and territories as would be necessary for the use of the Fishing Association, the land reserved for the houses and yards of the Association and its servants being the land nearest the town. Stornoway was to be erected by the king "in ane free burghe royall for reducing of the inhabitants of the said Ile of Lewis to

¹ *Reg. Privy Council, Scotland*, vol. vi. (2nd series) p. 96.

civilitie and for increase of policie within the same Ile." This charter was confirmed by Parliament on 17th November, 1641.¹

The sequel showed that Charles had done wisely in thus securing the co-operation of Seaforth. There were no further complaints by the adventurers of the Association of depredations committed by the islanders until 1642, when a certain William Cobb, captain of one of the ships belonging to the society, accused some of the islanders of having stolen his ship and wrongfully kept himself and his ship's company prisoners for four months. This case was the occasion of a letter from the king to the Privy Council of Scotland, asking that Cobb should be again put in possession of his ship and goods, and that the "pirots" should be brought to England.²

The very attention, however, attracted by the case of Cobb, serves to show that the molestation of the vessels of the Association had ceased to be a common occurrence. The society had, for some years, enjoyed that practical monopoly of the fishing about the Lewis which the king had secured for it, the great influence of Seaforth being a sufficient check on the native fishermen, most of whom, as a matter of fact, were probably already in the service of the company, for this was a favourite and frequently expressed idea of the king.³ If the work of the Association in the Lewis ultimately proved unsuccessful, its members could not say that the company had lacked opportunities. The want of success was due partly to the fact that the troubles in the realm during the period of civil war crippled all trade movements, but, as we shall see, in greater measure to the want of skill and the dishonesty of those to whom the affairs of the Association had been entrusted.⁴

¹ *Act. Parl. Scotland*, vol. v. p. 531.

² *Reg. Privy Council, Scotland*, vol. vii. (2nd series) p. 548.

³ *Cal. S.P. Dom. Car. I.*, vol. 203, No. 54.

⁴ Simon Smith, *A True Narrative*; Macpherson, *Annals of Commerce*, vol. ii. p. 365.

CHAPTER V.

CHARLES I.; DOMINIUM MARIS.

THE work of the Association in the Western Islands of Scotland had been hampered, sometimes by the studied apathy of the northern native fishermen, but more often by their active opposition; far more serious difficulties, however, had been encountered in the North Sea, where the Dutch resented any intrusion upon fishings which they considered long usage had made their own. From the very beginning of the work of the Association, it had been realised that trouble might be expected from the Dutch, especially since the Hollanders were accompanied at all times by some war vessels, and might therefore consider themselves strong enough to enforce their demands. This convoy of men of war always sailed with the Dutch fishing fleet in order to protect it from the attacks of the pirates from Dunkirk and Ostend, who, at this period, were particularly active in the North Sea and English Channel.¹ The English fishing vessels, as a protection from these same pirates, and also in order that they might be able to resist any attempt at interference on the part of their rivals, carried an armament of "Half Pikes and Muskets," "Physic and Surgery Helps" being also supplied. The equipment of the English fishing vessel in this respect is detailed as follows in "Britaines Busse."²

¹ Beaujon's Essay, chapter i. pp. 67, 77.

² "Britaines Busse," by E. S. London (Nicholas Bourne, 1615). Reprinted in *The English Garner*, 1880, vol. iii. pp. 621, 656.

Weapons :—

Half pikes, ten at 2s. each	-	-	£1	0	0
Muskets with Bandaleers, rests and moulds, 6 (at £1 each)	-	-	6	0	0
Gunpowder, 6 lbs. at 10d.	-	-	0	5	0
Leaden Bullets, 6 lbs. at 3d.	-	-	0	1	6
			<hr/>		
			£7	6	6

Physic and Surgery Helps :—

Spermaceti, and a box for it	-	-	£0	3	4
Stone pitch, and a box for it	-	-	0	1	4
Aquavitæ, 16 quarts are 4 gallons at 3s.			0	12	0
Zante oil, 16 pints are 2 gallons at 6s.			0	12	0
Honey, 16 pints are 2 gallons at 5s.	-		0	10	0
Sugar, 4 pounds at 1s.	-	-	0	4	0
Nutmegs, a quarter of a pound	-	-	0	1	0
Ginger, half a pound	-	-	0	0	6
Pepper, 16 ozs., <i>i.e.</i> a pound	-	-	0	2	0
Balsam and other salves and old linen			0	10	0
Syzers (a pair)	-	-	0	0	6
A Steel Pleget, to spread plaisters	-	-	0	1	4
A Chest with Partitions, for all these things	-	-	0	12	0
			<hr/>		
			£3	10	0

Equipped, therefore, both for fishing and for their own protection, the fishing vessels of the Association put to sea. It was not long before the expected trouble came; during the two months of August and September, 1632, the society lost no fewer than three busses—*The Experience* of Yarmouth, taken by the *Flying Horse* of Groningen, *The Flower* of Yarmouth, seized by a man-of-war of Enckhuysen named *Garrat Johnson Scummer*, and *The Concord* of Yarmouth, seized by a Dunkirk privateer called *Jan Peere*.¹ A fourth ship was lost towards the end of the

¹ *Cal. S.P. Dom. Car. I.*, vol. 225, No. 92.

same year. The managers of the Fishing Association had purchased a fishing vessel at Ostend, and in December sent a shipmaster, Benjamin Bowden, with a crew of three to bring it to London. On 15th December, while on their way home, these men were attacked by a man of war of Enckhuysen, belonging to the United Provinces ; the vessel was seized as a prize, the men were made prisoners, stripped of their clothes, thrown into irons, and carried to Flushing where the vessel was declared to be a lawful prize, while the prisoners were left in such destitution that they were obliged for the very necessaries of life to the good offices of an Englishman whom they met.¹ Such outrages as these had naturally a great effect on the minds of those who learned of them. It became increasingly difficult to get men to venture their capital in an undertaking which seemed so liable to serious loss, and it soon became apparent that many who would have otherwise become adventurers were holding back until they saw what satisfaction the king was able to obtain from the representatives of the United Provinces.²

On March 26th, the Council of the Society resolved to secure the services of an able solicitor and to send him, at the expense of the general funds, to the Low Countries, where he was to reiterate the demands already made for reparation on account of the captured vessels.³ About the same time Secretary Coke was instructed to write to demand satisfaction for *The Concord*, seized by the Dunkirkers.⁴ Little satisfaction, however, was to be had from either Dutchmen or Dunkirkers, and thus it was not long before the king realised that if his project of a national fishing was to be successful, he must assert himself, not in the law courts of the United Provinces, but on the fishing grounds of the North Sea.

¹ *Cal. S.P. Dom. Car. I.*, vol. 226, No. 40.

² *Ibid.* vol. 232, No. 75.

³ *Ibid.* vol. 234, No. 59.

⁴ *Ibid.* vol. 232, No. 106.

During 1633 and 1634 there was somewhat of a lull in the proceedings against the Hollanders, the Council of the Society being busy with the arrangement of its internal affairs. On August 1st of 1633, a general form of invitation to join the society was sent out, which gave a general resumé of what the king and others had already done towards the establishing of this Association, and which urged the claims of this national work.¹ The need for this appeal is made evident by the contents of a letter sent on August 10th by Philip, Earl of Pembroke and Montgomery, to Captain Sir John Pennington. Pembroke frankly admits that it is difficult to get men of means to hazard their money in the Association, and that, in spite of all efforts, it has been found impossible to secure as many adventurers as had been expected by the king and his associates. They have four busses ready to be taken off the stocks for the approaching fishing season, but cannot do this without money to the amount of £2,400; this is £1,800 more than they have in hand—rather a serious deficit. The Earl proceeds to inform the Captain that in consequence of this shortage of funds it has been decided to take the next subscription from the adventurers at Michaelmas instead of at Christmas, as previously arranged. Thus Sir John Pennington is asked to forward £30, the amount required of him, to Captain Styles, treasurer for the Association, who is to be found at his house in Fenchurch Street.² It had already been arranged that a certain oath should be taken by each member of the Council for Fishing, and that a certificate should be granted to the master of each ship belonging to the Association, while two seals in silver had been procured at a cost of £12 from Edward Greene, chief graver to the King.³

¹ *Cal. S.P. Dom. Car. I.*, vol. 244, No. 5. ² *Ibid.* vol. 244, No. 49.

³ *Ibid.* vol. 232, Nos 105, 106; vol. 233, No. 75; vol. 234, No. 59; vol. 238, Nos. 6 and 7; vol. 250, No. 39; vol. 257, No. 30.

The Dunkirk privateers meanwhile continued to prey upon English and Dutch alike. In September, 1634, the buss *Salisbury* was captured by the Dunkirkers off Newcastle, the fishermen being taken prisoners, stripped of their clothes and given some "contemptible rags" in exchange. A prize crew was put aboard the *Salisbury* to take her to Dunkirk. On the voyage thither the ship was recaptured by a vessel from Flushing,¹ the crew of which demanded two-thirds of the value of the vessel for having thus saved it. Only after considerable difficulty and delay, and not till direct representations on the matter had been made to the king of Spain, was the vessel finally returned to its owners.² It is some index to the extent of the depredations of these Dunkirkers to observe that in the balance sheet of the Association for the Fishing, issued on June 20th, 1635, the damage received at the hands of Dunkirk privateers is estimated at £2,000.³

But although the Dunkirkers were a source of annoyance to all shipping in the North Sea that could not be overlooked, it was still the magnitude of the Dutch fishing fleet and the wealth derived by the Hollanders from their deep sea fisheries that Charles felt to be a lasting reproach to Britain. All that he heard concerning the Dutchmen served but to establish him the more in his determination to develop British fisheries in spite of apathy at home and opposition abroad. In answer to enquiries concerning the extent of the operations of the Dutch in the North Sea, he had been informed by Sir Nicholas Halse that he had ascertained the yearly profit of the Hollanders from the fishings on the British coasts to be six million pounds.⁴ This, indeed, was a somewhat lower estimate than that of Sir John Burroughs, who, in his *Soveraignty of the British Seas*, written in 1633, had fixed the amount at ten million pounds, and

¹ *Cal. S.P. Dom. Car. I.*, vol. 303, No. 75.

² *Ibid.* vol. 312, No. 88.

³ *Ibid.* vol. 291, No. 25.

⁴ *Ibid.* vol. 279, No. 67.

probably did not exaggerate in so doing, although, as herring prices at the time are not known, it is impossible to state exactly what was the annual return of the Dutch fishing fleet.¹

Roused by such statements as these, and, at the same time urged to action by the members of the Association, who were justly incensed at the high handed conduct of the Dutch, Charles, in 1635, gave orders for the publication of Selden's *Mare Clausum*, which was intended as a refutation of the *Mare Liberum* of Grotius.² The book was at once seized on, by English and Dutch alike, as a definite expression of the king's views, which were in great measure merely a reiteration of those opinions concerning the rights of the kings of England to the hereditary sovereignty of the sea

¹ The Dutch fishing fleet numbered about 2,000 busses, each buss bringing to shore on an average 40 last of herring per season.—Beaujon's Essay, pp. 64 and 65.

“ They have 100 Dogger Boats of 150 Tuns apiece or thereabouts, 700 Pinks and Well Boats from 60 to 100 Tuns apiece, which altogether fish upon the coasts of England and Scotland, for Cod and Ling only ; and each of these employs another Vessel for providing of Salt and transporting of their fish ; making in all 1,600 Ships, which maintain and employ Persons of all sorts, 40,000 at least.

“ For the Herring Season, they have 1,600 Busses at the least, all of them fishing only upon our Coasts from Boughonnes in Scotland, to the mouth of the Thames. And everyone of these maketh work of three other ships that attend her ; the one to bring in salt from foreign parts ; another to carry the said salt and cask to the busses, and the third to transport the said fish into Foreign Countries. So that the total number of Ships and Busses plying the herring fare is 6,400. Whereby every Buss one with another, employeth 40 Men Mariners and Fishers, within her ain hold, and the rest ten men a piece which amounteth to 112,000 Fishers and Mariners ; all which maintain double, if not treble, so many Tradesmen, Women, and Children at Land.

“ Moreover, they have 400 other Vessels, at least, that take Herring at Yarmouth, and there sell them for ready money. So that the Hollanders (besides 3,000 ships before mentioned Fishing upon our own Shores) have at least 4,800 ships, only maintained by the Seas of Great Britain.” —*The Sovereignty of the British Seas*, by Sir John Burroughs, Knight, written in 1633, and printed 1651.

² Beaujon's Essay, p. 175.

which had been expounded with such pertinacity, twenty years before, by his father. Charles, however, less pusillanimous in temperament than his father, was now determined to make some attempt to carry his views to their logical conclusion.

He was the more eager to take active measures against the Dutch from his fear that, if he did not quickly succeed in diminishing the competition from foreigners upon the coasts of Britain, the Association for the Fishing would soon cease to exist. He was thoroughly acquainted with the state of its finances, knew that the enterprise was not flourishing, and that it was difficult to find fresh adventurers. In 1636, when Charles reviewed the situation, the subscriptions promised to the Association were £22,682 10s., but of this sum only £9,914 10s. had been received. £3,550 7s. 5d. had been borrowed, thus making a total capital of £13,464 17s 5d. The stock consisted of six busses—a strange contrast to the mighty fleet of the Dutch; these, fully equipped and provisioned, were valued at £6,000. Salt and fish in hand were valued at £6,120, while the amount to be set down to damage sustained from Dunkirkers was fixed at £1,166 14s. 10d., making the total value of stock, £13,286 14s. 10d.¹

Charles, in 1635, had sent a fleet of 26 ships to the North Sea to make, as it were, a demonstration in force, announcing that his intention was to preserve the peace on these waters and that he would protect all fishers, even though he should defend the Hollanders from the men of Flanders, their enemies.² On February 4th, 1636, the king consulted the Lords of the Admiralty as to his ability to enforce his demands; they answered that the strength of his fleet justified him in choosing this time for asserting his hereditary

¹ *Cal. S.P. Dom. Car. I.*, vol. 313, No. 16.

² *Cal. S.P. Dom. Car. II.*, vol. 339, Nos. 409, 413 ("A Collection of Divers Particulars touching the King's Dominion and Sovereignty in ye Fishing").

claim to the sovereignty of the seas, and advised him to intimate to the minister of the United Provinces that, although prepared to maintain his right to the fishings around the British coast, he would permit the Dutch fishermen to fish provided they first supplied themselves with licenses to do so. Intimation was accordingly made in those terms to the Dutch Ambassador.¹

In spite of the protestations of the Hollanders, a proclamation for the restraint of fishing without license was made on May 10th, 1636, declaring the king's resolution "to keep such a strength of shipping as may be sufficient to hinder encroachments upon his regalities, and protect those who shall thenceforth by virtue of license first obtained, endeavour to take the benefit of fishing on the king's coasts and seas."²

On 12th July, 1636, a similar proclamation was issued by the Privy Council of Scotland forbidding foreigners from fishing in Scottish waters without a license from the king;³ the duty being fixed at "2s. sterling upon the tunne."⁴ In this connection the islanders of the Lewis were, at the same time, pointedly warned that the adventurers of the Fishing Association were not to be reckoned among the number of strangers or foreigners from whom such license was to be demanded.⁵

Charles, indeed, informed the Dutch that this tax was intended to be for the mutual benefit of both nations, and was a contribution on their part towards the maintenance of the British fleet against the Dunkirk privateers. But in order that there might be no dubiety about the payment of the tax, the Earl of Northumberland, who commanded a

¹ *Cal. S.P. Dom. Car. I.*, vol. 307, No. 48; vol. 313, No. 24; vol. 319, No. 81.

² *Ibid.* vol. 320, No. 62.

³ *Reg. Privy Council, Scotland*, vol. vi. (2nd series) pp. 279, 280.

⁴ *Ibid.* p. 346.

⁵ *Ibid.* p. 292.

portion of the English fleet, was, in June, 1636, ordered to sail northwards towards the fishing grounds. A hundred licenses, signed by the king, had been prepared, which the Earl was ordered to procure at Deal Castle. These licenses he was to present to the Dutch fishermen, his instructions being to take "after the rate of 12^d. the ton of each vessel accepting the license"; any ship refusing to accept the license and pay the required tax was to be seized and sent into an English port.¹ Shortly afterwards, another two hundred licenses were sent him, and with these he sailed north with a fleet of twelve vessels.²

The "Form of License for Fishing in English Seas," had been drawn up in the following terms:—

"We are graciously pleased by these Presents to grant lycense to _____ to fish with Men and Company belonging to a ship or vessel called _____ being of the Burthen of _____ Tunnes, upon any of our Coastes or Seas of Great Brittain and Ireland, and the rest of our islands adjacent, where usually heretofore any fishing hath been. And this our Lycense to continue for one whole year from ye Date hereof, willing and requiring as well all our Subjects as others of what Nation, Quality or Condition soever, that they give no Impeachment or molestation to ye said _____ or his Company in the said Vessell, in the execution of this our Lycense, upon such Paines and Punishments as are to be inflicted upon the violaters of our Royall Protection, and the Willful Breakers of Our Peace, in our aforesaid Dominions and Jurisdictions, further requiring and comãding all our Admirals, Vice-Admirals, Rere-Admirals and Captnes of our ships, Castles and Forts to protect and assist the said _____ in ye quiet enjoying the benefit of this our Lycense." ³

¹ *Cal. S.P. Dom. Car. I.*, vol. 326, No. 32.

² Beaujon's Essay, p. 176.

³ *Cal. S.P. Dom. Car. I.*, vol. 326, No. 32.

Sending in his report on August 16th, 1636, from his flagship, *The Triumph*, then lying before Scarborough, Northumberland reported that he had not seen so many Dutch vessels as had been expected. He had, in fact, arrived at the fishing grounds so late in the season that the greater number of the Dutch had left for home. He had, however, found all the Dutch with whom he spoke very willing to pay the required tax and accept the license, being "most desirous of the King's protection," and had distributed about 200 licenses. Only two or three Dutchmen-of-war were with their fishing fleet, and these were small vessels meant as a protection against attacks from the Dunkirkers.¹

In Scottish waters, the Duke of Lennox² was to levy the duties from foreigners, the king having written to him on 17th August, 1636, that this would be part of his duty as High Admiral of Scotland, since strangers coming into ports had always paid "one acknowledgement to our Admiral there." The Council in Scotland, however, seem to have found the levying of the tax a difficult task; nearly a year afterwards, on 20th June, 1637, they were still considering "of the best and most faisable way to uplift the said dewtie."³

Northumberland himself was finding it a more difficult task to collect the duty and to distribute the licenses than he had found it at first. His next reports, dated September 16th and October 6th, stated that he had fallen in with a Dutch fishing fleet of about 400 vessels, accompanied by

¹ *Cal. S.P. Dom. Car. I.*, vol. 330, No. 41.

² The Duke of Lennox was also one of the Council for the Fishing. In 1636 the Council included:—For the English: the Lord Treasurer, the Earl Marshal, the Earl of Pembroke and Montgomery, Lord Cottington, and Secretaries Coke and Windebank; for the Scots: the Duke of Lennox, the Marquis of Hamilton, the Earl Morton, the Earls of Roxburgh and Stirling, and Sir John Hay.

³ *Reg. Privy Council, Scotland*, vol. vi. (2nd series) p. 457.

some fifteen men-of-war. The Dutch vessels had, as Northumberland expressed it, shown some unwillingness to come near the English fleet, and this "found them entertainment for eight days together in following them, but now very few of them are unprovided with His Majesty's License."¹ Northumberland's voyage had lasted from 15th May to 9th October; his journal during this time shows him to have collected £999 of convoy money, and £501 15s. 2d. of "acknowledgment money from the Dutch fishermen."²

In spite of Northumberland's success, it had not been the intention of the Dutch authorities to submit, without resistance, to all these demands of Charles. In August, 1636, they sent a fleet of fifty-seven warships under Admiral Van Dorp, to the North Sea, with the significant orders to protect the fishing fleet "against the Spaniards and all others inclined to molest them." Van Dorp, upon his arrival at the fishing grounds, found that he had been forestalled by the British Admiral, Northumberland, who declared that he likewise had been sent by his government to protect the fishermen. Unfortunately for Van Dorp, the Dutch fishermen had submitted to the demands of the British Admiral for payment of the stipulated price for protection; they had without question accepted the licenses and paid the duty. Northumberland's sailing orders directed him to fight if any obstructed him. Van Dorp, who had no such definite orders, hesitated as to his course of action, and finally sailed away. Upon returning to Holland in the following year, he was so severely censured by his government for his failure to sufficiently protect the fishermen from the exactions of the English, that he retired from the navy. The English people, however, claimed that a precedent had now been established, and

¹ *Cal. S.P. Dom. Car. I.*, vol. 333, No. 26.

² *Ibid.* vol. 343, No. 72.

that the Dutch had acknowledged the sovereignty of England in the North Sea.¹

By their treatment of Van Dorp, the Dutch had shown that they were by no means inclined to submit meekly to the demands of Charles; they were at the same time very anxious to avoid an open quarrel on the subject, since they desired the aid of England against Spain. Charles himself was engaged in the very delicate business of negotiating an alliance with France, and felt that the time was not opportune for war with the United Provinces. This desire for peace on both sides explains the attitudes adopted by English and Dutch during 1637. The States, for example, were about to publish certain edicts against paying any acknowledgment for leave to fish, but these were suppressed "upon the hopes of His Majesty's relinquishing that business for the present." Again, a learned treatise had been prepared by the Dutch in answer to Selden's *Mare Clausum*, but this was "laid aside upon probability of our ships going rather against their enemies than themselves this year."²

Elizabeth, Queen of Bohemia, daughter of James I., had also thrown herself on the side of peace, asking her brother as a favour to herself, to lay aside for the present, all controversial matters with the Dutch, since her kingdom had so much need of the aid of the United Provinces against Spain.³ The suggestion to Charles, from all sides, was, in fact, simply that he should not press his claims at this particular time. Elizabeth wrote even to Archbishop Laud asking him to use his influence with the king in order that he might be induced "to suspend any further executing his right, which he may take up again when he will, without any prejudice as the king, their father, did."⁴ Laud cautiously answered that the king was "so set to maintain

¹ Beaujon's Essay, pp. 176, 177.

² *Cal. S.P. Dom. Car. I.*, vol. 346, No. 23; Beaujon's Essay, p. 177.

³ *Cal. S.P. Dom. Car. I.*, vol. 330, No. 38.

⁴ *Ibid.* vol. 346, No. 34.

the dominion of the sea," that he could say little on the subject. At the same time, he felt that both English and Dutch would soon be so much occupied with matters of greater importance, that they would tacitly leave the matter as it stood. He himself "would advise a silence of this business on all hands, and not to interrupt businesses with moving a question about that which will necessarily do itself without questioning."¹ To this Elizabeth replied, putting the attitude of the States simply as one in which they were well content to leave the matter alone, "so the king forgets it, and speaks no more of it, which she tells them she is confident he will not, having things of greater importance to do now."² Swayed by all these considerations, then, both sides were unwilling to force matters to extremities, although the Dutch still held to their theory of *Mare Liberum*, and the king still maintained his hereditary right to *Dominium Maris*.

Having no intention of going to war, Charles now essayed the subtle paths of diplomacy. Early in 1637, licenses were sent to Sir William Boswell, then at the Hague, to be distributed among the Dutch fishermen; at the same time, Charles attempted to force the situation by concluding a secret treaty with the Spaniards, by which it was arranged that each holder of a license from the king of England was to receive a pass from the Spanish authorities, entitling its possessor to a voyage to and from the fishing ground safe from molestation from the Dunkirkers, who were "to take care not to disturb such of the Hollanders, though then their enemies, as had ye King's license."³ This secret treaty fell through, owing to "the perverseness of the Spanish Ministers," and the Hollanders accordingly refused to accept the licenses from the King of England.⁴

¹ *Cal. S.P. Dom. Car. I.*, vol. 348, No. 62. ² *Ibid.* vol. 351, No. 1.

³ *Cal. S.P. Dom. Car. II.*, vol. 339 ("A Collection of divers particulars, etc.").

⁴ *Cal. S.P. Dom. Car. I.*, vol. 363, No. 21.

Such was Charles' desire for peace, however, that when he learned that many Dutch vessels were fishing without license under the protection of strong convoys, he gave orders to the Earl of Northumberland to send not a war vessel but a merchant ship with the licenses to the Dutch fishing fleet, the king "being not willing to employ any of his own until it appears what the success will be." The Dutch were to be assured of convoy and safe conduct home in the event of their accepting the licenses; if they refused them, the matter was to be referred to the king.¹ Upon Northumberland's asking for more explicit instructions as to the manner of dealing with the Dutch, should they prove obstinate,² Secretary Windebank, writing on July 6th, 1637, gave him the root of the matter thus: "The truth is, his Majesty is not willing to proceed roundly with them, and therefore holds this way of inviting them to acknowledge his right, without sending his whole fleet, which would be a manifest obligation in honour to perfect the work notwithstanding any opposition, which might be of dangerous consequence to the present condition of his affairs."³ On July 10th, therefore, Northumberland despatched Captain Richard Fielding to the north in the *Unicorn* with 200 licenses, giving him distinct instructions that he must not become engaged in any dispute with the Dutch. Fielding, coming up with a Dutch fleet of six or seven hundred vessels, found the masters of the fishing vessels quite willing to accept the licenses, but had distributed only two when the Dutch admiral hailed him and forbade him to give out any more.⁴ Following his instructions, Fielding returned without more ado, and made his report to Northumberland, who, disgusted at the weakness of the king's attitude, very sensibly remarked that "it might much better have been

¹ *Cal. S.P. Dom. Car. I.*, vol. 363, No. 21.

² *Ibid.* vol. 363, No. 28.

³ *Ibid.* vol. 363, No. 41.

⁴ *Ibid.* vol. 364, No. 45.

absolutely forborne than demanded in this matter." The admiral, indeed, was weary of a command where his hands were tied, and where, as he complained, he could "neither do service nor gain credit." "No man," he writes to his friend Sir Thomas Roe, "was ever more desirous of a charge than I am to be quit of mine."¹

The king himself, though still unwilling to adopt measures of force, was much vexed at the situation and was extremely anxious that the real facts of the case should not become public. Hence Secretary Windebank, on August 10th, writes to a certain Captain Fogg telling him exactly what the version of the case for the public is to be. "There has been a report raised that the Hollanders have refused his Majesty's licenses to fish, offered them by Captain Fielding. But it is utterly mistaken. Captain Fielding was sent to the busses to offer them protection, his Majesty having understood that the Dunkirkers had prepared a great strength to intercept them on their return,² which his Majesty, in love to them, sent Captain Fielding to give them notice of, and to offer them safe conduct. This you are publicly to avow whensoever there shall be occasion, and to cry down the other discourse as derogatory to his Majesty's honour."³ Similar instructions were sent to Northumberland; the story of the refusal of the licenses was to be cried down, "and the other to be avowed and reported through the whole fleet."⁴ Fogg's answer was brief, but showed that he had fully understood the full import of his instructions. In blunt sailor fashion he answered, "Touching the false report

¹ *Cal. S.P. Dom. Car. I.*, vol. 365, No. 28.

² Fielding reported having on 21st July, off Buchan Ness, seen one States man-of-war engaging thirteen Dunkirkers. Before he came within shot the States man-of-war sank. The States had twenty-three men-of-war there, "but no more than fifteen stood with the Dunkirkers, the rest kept by the busses" (*Cal. S.P. Dom. Car. I.*, vol. 364, No. 45).

³ *Cal. S.P. Dom. Car. I.*, vol. 365, No. 51.

⁴ *Ibid.* vol. 365, No. 53.

that the Hollanders refused his Majesty's license, I shall avow according to your directions." ¹ Northumberland, however, with a higher sense of honour, seems to have felt keenly the position thus forced upon him. Writing nearly three years after this time he declared his belief that Secretary Windebanke was "the basest and falsest creature that lives." ²

The king himself had evidently decided not to again allow himself to be placed in such an anomalous position, and from this time the matter of licenses was allowed to fall into the background, although some Hollanders must have taken licenses in 1639, since we find intercession being made for them at Brussels by the English Ambassador, who asked that, as holders of license from the King of England, they might be indemnified for loss sustained from the Dunkirkers. ³

On October 21st, 1639, the Dutch Republic, by the naval battle of the Downs in which De Tromp signally defeated the Spaniards, showed all Europe how great its sea-power had grown. The battle had been fought within the very seas over which Charles claimed sovereignty, and the Dutch victory was thus a complete vindication of their claim of *Mare Liberum*. The Dutch were now in very truth masters of the seas, and British fishers and mariners for many years to come were compelled to submit meekly to acts of outrage at their hands from which Charles, engaged with troubles in Scotland and rebellion in England, could not protect them. Oliver Cromwell was to bring deliverance and establish England as a sea-power; the naval wars of his day were the precursors of that series of naval wars which were the first cause of the decline of the Dutch fisheries. Meanwhile the Dutch fishermen exploited the resources of the North Sea without further let or hindrance from England.

¹ *Cal. S.P. Dom. Car. I.*, vol. 365, No. 59.

² *Sydney Papers*, ii. 655.

³ *Cal. S.P. Dom. Car. II.*, vol. 339 ("A Collection of divers particulars, etc.").

CHAPTER VI.

THE COMMONWEALTH; THE DUTCH WAR. CHARLES II.;
THE NEW SOCIETIES FOR THE FISHING IN SCOTLAND.

By the year 1639 it had become a recognised fact that the Association for the Fishing had, in large measure, disappointed the sanguine hopes which its royal founder had indulged concerning it. The king had added to its privileges; he had caused Lent to be observed, had prohibited the importation of fish by foreigners, and had even undertaken to purchase from the company the necessary supplies of stores and food for the Royal Navy; ¹ the management of the affairs of the Association was not in the hands of men who could make use of these peculiar advantages, and all Charles' efforts were in vain.

At the inception of the Society, the hopes of the adventurers had rested on the fishing in the isle of Lewis. Such was the gross mismanagement, however, on the part both of the Scotch and of the English employees of the company, that, during the first two years of its existence, the Society lost all the money spent in the Lewis.² The adventurers of the Society, unfortunately, did not take to heart the lessons of these two years of failure; they seem to have been at no pains to ensure that those at the head of practical affairs should be skilful either in fishing or in curing the

¹ Simon Smith, *A True Narrative of the Royal Fishings of Great Britaine and Ireland.*

² *Cal. S.P. Dom. Car. I.*, vol. 444, No. 68.

fish caught. The Dutch cured herring had a European reputation for excellence ; the Association, which sought to outrival the Hollanders, had need to produce work showing as much thoroughness and skill as theirs. But De Witt, in his *Interest of Holland*, tells of the inferior quality of the cured herring exported by the English fishing company, saying that their herring were rejected at Dantzic in 1637 and again in 1638.¹

At length, weary of the unbroken record of failure and loss, the Committee of the Association, in 1637, resolved to abandon the fishing at the Lewis, although Simon Smith, "Agent for the Royal Fishings," was still writing hopefully of the ultimate success of the undertaking there.² The Association, however, was suffering greatly from want of capital, since many of the adventurers, alarmed by the want of success in the Hebrides, and perturbed by the depredations of the Dunkirkers, had either ceased to subscribe, or had paid nothing at all. The Association was thus forced back upon loans, which entailed considerable extra expense and hampered all its movements.³ In spite of all this, the committee at the head of affairs were still persuaded that the enterprise would prove profitable if entered upon with vigour, especially seeing that they had now restricted the scope of their operations ; moreover, they had now attained, they thought, "to the true and perfect art of taking and curing herrings, making nets and casks fit for that purpose, and building busses" ; they had also learned the best foreign markets for herring, and were thus confident that success would attend their public-spirited services, if the king would cease his policy of inaction towards the Dunkirkers, who, emboldened by immunity, had seized many fishing busses. In 1639 alone, four busses belonging to the Fishing Associa-

¹ Macpherson, *Annals of Commerce*, ii. 365.

² *Cal. S.P. Dom. Car. I.*, vol. 397, No. 95.

³ *Ibid.* vol. 377, No. 69 ; vol. 412, No. 27.

tion fell into the hands of these pirates, who were now so active that English fishermen feared to put to sea.¹ It was estimated that the seizure of these vessels had caused a loss to the Association of not less than £5000. To recuperate them for this loss, the Earl of Pembroke and his fellow adventurers asked the grant of a standing lottery, such as had been granted to the Virginia Company in 1612.² They asked also that the statutes for the use of fish should be enforced, and this especially against "all sorts of victuallers, who may be enjoined to provide fish, if not two days, at least one day a week, and the fines on the trespassers to redound to the Royal Fishings."³ The king willingly gave all the aid in his power, granted the standing lottery asked for, and recommended the adventurers to send an agent to demand satisfaction for the great injuries inflicted by the Dunkirkers; if satisfaction were refused them, Charles declared himself willing to grant them letters of marque against the privateers.⁴

In spite of all Charles' efforts on its behalf, however, the Association did not prosper, and in this year, 1639, the king, despairing of success, ordered a general enquiry into its financial administration and management. At the same time he gave orders for an enquiry into the conduct of Peter Ricaut, the treasurer of the Association, who had been guilty of oppression towards various poor tradesmen dealing with him. Enquiry was to be held also into the exact state of the stock of the company, so that all reasons for the diminution of stock might be ascertained. The affairs of the company were then to be settled in the most advantageous manner possible for the community at large.⁵

Deep matters of state now engrossed the attention of the king, and he had, perforce, to leave the adventurers of the

¹ *Cal. S.P. Dom. Car. I.*, vol. 429, No. 65.

² *Ibid.* vol. 444, No. 68.

³ *Ibid.* vol. 438, No. 65.

⁴ *Ibid.* vol. 444, No. 68.

⁵ *Foedera*, v. 20, p. 346.

Association to settle its affairs as best they could, and to continue with the enterprise if they were so minded. The times, however, were no longer favourable to the success of such an undertaking ; the Civil War soon engrossed the attention of all ; and, as was to be expected, the Society, now deprived of the king's encouragement and assistance, gradually ceased to have any interest for the great majority of its members and soon became almost a thing of the past.

The next suggestion with regard to the fishing industry came from Scotland, where, in 1645, a certain Frenchman, named Hugo L'Amey of Mouhon, laid the details of a curious scheme before the Estates. He intended, he said, to benefit Scotland by introducing and superintending the cultivation of Indian corn, on condition that he received a grant of all the Scotch fisheries. His scheme lacked nothing in definiteness, including as it did a Scotch fleet of thirty-six ships of four hundred tons burden each, the establishment of a trade with the Indies, and the planting of a Scotch colony there. Nor had the sanguine Frenchman any doubt that the " Indian wheat " would thrive in Scotland, if his directions for its cultivation were followed ; he was confident, indeed, that it would yield a fourfold greater increase than ordinary corn, and would, at the same time, be found less liable to injury from winds, rain, or frost ; the ground whereon it grew became more fertile, the flour from it made very good white " bisket breed," while the " dightinges or refuse " was very good for feeding swine. Moreover, its cultivation would give employment to a great many people, since the Indian corn had to be worked " only by strength of hand," no horses or oxen being required. The result would be that " poor people that have many children and are unable to mentean them shall be of there charge disburthened be setting of there children a working whom before they wer wont to sett a begging."¹

¹ *Act. Parl. Scotland*, vol. vi. 1, pp. 372-3.

It was remitted to a council of the Estates to deliberate upon this extraordinary proposal, powers being given to naturalise the enthusiastic Frenchman. The finding of the committee, however, was not in favourable terms, and no encouragement was given him to proceed with his scheme.

With the end of the Civil War and the advent of the stable government of Cromwell, there came a renewed interest in all branches of industry and commerce, and particularly in everything that pertained to the establishment of Britain as a sea-power. Cromwell, indeed, had scarcely commenced to rule before, among other instructions to Colonels Popham, Blake, and Deane, then commanding the fleet, he gave them orders "to guard the North Sea and mackarel fisheries," and "to maintain the sovereignty of the commonwealth in the seas."¹ The Protector's ambition to make the Commonwealth great at sea depended, for its realisation, upon the achievement of his cherished policy of a united Britain, a policy which continually urged him to secure peace and good government in Scotland, and to support and encourage her industries, including the fisheries. An indication of Cromwell's settled policy towards Scotland is given in 1655 in the direct instructions sent by him to his Council in Scotland "to give all due encouragement to the Trade and Commerce of that Nation and to advance Manufactures and the Fisheries there, and to consider of all waies and meanes how the same may be improved for the advantage of the People and of this Com̃onwealth."²

During a great part of the Commonwealth period, however, it was impossible for any ruler to do anything to develop British fisheries, since the naval war in the North Sea caused an almost complete suspension of fishing operations. Even before the final declaration of war with Holland in 1652 there had been numerous instances of the seizure of herring

¹ *Cal. S.P. Dom. Commonwealth*, 1649-50, p. 23.

² *Act. Parl. Scotland*, vol. vi. 2, p. 827.

busses by both English and Dutch war vessels. The English fishing fleet had to run the gauntlet not only from Dutch war vessels but also from Dunkirk and Ostend privateers and sea rovers; in addition it was frequently attacked by that portion of the English fleet which still remained loyal to the king and now sailed under command of Prince Rupert.¹ To meet these dangers, it had been customary, in the years immediately preceding the actual declaration of war, to detail a number of warships to convoy the fishing fleet with orders to preserve "the ancient and indubitable dominion of the sea."²

In 1653 the Dutch owners, seeing the impossibility of securing their vessels from the attacks of the English fleet, kept their fishing fleet, which still consisted of some 2000 vessels, at home.³ The war did no less damage to the English fishing industry, such towns as Yarmouth, which depended almost entirely on the fishing industry, being almost ruined. In desperation, the inhabitants of Yarmouth in December, 1652, made complaint to General Monk, stating that they had already lost £200,000, "to the utter undoing of many families," and that, if the war continued, the town would be inevitably ruined, since fishing was practically at a standstill. "Not three boats are now preparing to go forth fishing," they declared, "where 150 sail used to be making ready at this season."⁴

The struggle, however, was too grim, the opposing sides too keenly alive to the issues at stake, for the hearing of complaints from injured individual communities. The conflict went on with unabated vigour in the North Sea, while the English government also made preparations to meet the Dutch in the Hebrides and in the Orkney and Shetland

¹ *Cal. S.P. Dom. Commonwealth*, 1649-50, pp. 128, 138, 165, 200, 201, 205, 263, 264, 285, 297.

² *Cal. S.P. Dom. Commonwealth*, 1649-50, pp. 484-5.

³ Beaujon's *Essay*, pp. 67-68.

⁴ *Cal. S.P. Dom. Commonwealth*, vol. 32, No. 15.

Islands, since it was feared that the Dutch might make an attempt to secure a permanent footing in some of the islands which they had so long used as fishing stations.¹ The Earl of Seaforth, moreover, had declared for the king, and Charles' supporters were intriguing with the Dutch, offering them ports and fishing facilities in return for help against the troops of Cromwell. Thus, in 1653, the Earl of Glencairn in a letter to Middleton, whom the king had already commissioned as his Lieutenant-General in Scotland, but who was still engaged in Holland in an attempt to procure aid for the rising of Scottish royalists,² urges him to represent to the Estates of the United Provinces "what great advantages will redound to them by assisting us, and how able we are to promote there interest, by making a diversive warr, and how willing we are that the King our Sovereigne should posses them with any places or sea-ports which they shall desire, to be possessed by them for ever, for the securing of their fishing and commerce."³ Middleton acted on these instructions by including the offer of fortified posts in the Orkneys, Shetland, and the Western Isles, in his "Second Memorial" to the Estates of the United Provinces.⁴ Cromwell and his officers in Scotland, however, were alive to the situation; Colonel Lilburne, the commander-in-chief in Scotland, was ordered to secure against possible attack all the ports threatened: he established garrisons in the Lewis at

¹ *Cal. S.P. Dom. Commonwealth*, 1651-52, p. 255.

² *Scotland and the Commonwealth*, Firth, pp 46, 60.

³ *Ibid.* p. 158.

⁴ "D'avantage sa Majesté accordera à leur Seigneuries de faire bastir telles forteresses qu'elles voudront, dans les Isles Orcades, Hetland, et Isles Occidentales d'Escosse, ce qui servira grandement pour asseurer leur trafficq des Indes et vers le Septentrion; La pescherie aussi s'y pourra continuer tant en hiver qu'en esté, et avec beaucoup moins des fraiz, et des gens qu'ils n'ont accoustumé d'embarquer pour la pesche, les havres dans ces Iles leur estants tousjours ouverts, ou estants aidez par ceux de ce pais là a saler et dresser leur poissons, ils pourront plus faire avec cent, qu'à çeste heure avec trois cents."—*Ibid.* p. 236.

Stornoway, in the island of Mull, in the Orkneys, and in Shetland, Colonel Cobbett being ordered to "make a complete conquest."¹ Cromwell's chief fear was that the Dutch might attempt an invasion of the Lewis; Lilburne, however, thought it much more likely that they would concentrate their attack upon Shetland, where was "their constant correspondence going and coming." Since the Dutch sometimes had as many as "1800 saile in and about Birssie Sound in Shetland," he was of opinion that a fort upon the Sound would prove a great obstacle to the Dutch fishers and traders, particularly if he could have the support of a few vessels of war.² As a result of these representations, the Council of State gave orders for the establishment of forts at various points on the Shetland islands, granting £4000 towards the cost of these and other fortifications in Scotland.³ Although Lilburne, with the small body of troops at his command, was hard put to it to secure the safety of his numerous garrisons, and although the English fleet was so fully employed in conflict with the Dutch in the Channel that Middleton could send supplies to the Scottish royalists at pleasure,⁴ the Dutch were likewise too much occupied in the great struggle to render any efficient aid to the royalist rising, and the measures taken by the Council sufficed to avert the fear of invasion.

The Treaty of Westminster, April 1654, ended this war, and enabled the Dutch fishing fleet again to put to sea, but frequent complaints were still made of outrages committed by armed vessels on both sides. In September, 1656, an incident took place which is typical of the intolerant methods practised by both Dutch and English. The Dutchmen engaged in the herring fishery near Yarmouth were ordered

¹ *Scotland and the Commonwealth*, Firth, pp. xlix, 186-189, 202, 221, 275; *Act. Parl. Scotland*, vol. vi. 2, p. 908.

² *Ibid.* pp. 226-7.

³ *Ibid.* pp. 228 n., 258.

⁴ *Ibid.* pp. 238, 290, 308.

off by an English fleet. Upon their refusing to go, they were "chased by several English parliament vessels, who fired and threw stones at them, cut their nets, and compelled them to abandon their fishing and fly northwards."¹ It was in vain that complaints were made to the English government of the conduct of their men-of-war and privateers, for such acts were committed with the tacit consent of the government.

There now ensued the period of trouble with Spain, which led to many more hardships for the English fishermen. Even before the order had been given to seize all English ships in Flanders, privateers from Dunkirk and Ostend had been a constant source of danger to the English sailor. These had been actively aided in their work of preying upon English commerce by privateers sent out by the exiled Charles II., with commissions signed by himself. English merchant vessels and fishing boats were captured daily, and no fishing fleet dared to sail without convoy.² In view of the numbers and ubiquity of the enemy, the few warships set apart as permanent coast guardships seem to have been quite inadequate. In 1656, only two war-vessels were on permanent duty as guard to the North Sea fishery, three had been sent to the northern coast, one was on the Scotch coast, and two at Iceland.³ In this year thirty-five vessels, valued at £25,000, had gone to the fishing at Iceland; the owners, however, were of opinion that the convoy provided by government for their ships was not sufficient; they represented that their vessels were "in great danger of ruin by the enemies, to the utter undoing of 500 men, with their wives and families." The loss of these vessels would be the more keenly felt on account of the fact that of their fishing fleet " $\frac{1}{3}$ of about 70 fishers"

¹ *Cal. S.P. Dom. Commonwealth*, 1656-7, p. 485.

² *Ibid.* vol. 124, No. 51; vol. 225, No. 4, No. 40; vol. 228, No. 44.

³ *Ibid.* vol. 226, No. 4.

had already been captured. As a result of this petition the Council ordered a frigate of 24 guns to proceed from the coast of Scotland to Iceland.¹ Throughout the period, indeed, the only fishery conducted without fear of molestation was the whale fishery of the Muscovy Company in Greenland; this Company dispatched annually to the North some three vessels with thirty-seven harpooners and steersmen.²

In such times of trouble as these, there was little to tempt either companies or individuals to risk capital in an attempt to revive the fishing industry of Britain. The attempt was contemplated; Sir Phineas Andrews in 1654, and Simon Smith in 1660, were allowed certain exemptions from Customs and Excise, upon their undertaking the Fishery, but neither of them seems to have carried his plans into effective execution.³ Except for various spasmodic efforts round the coast, therefore, the fishing industry was in a state of extreme depression when Charles II., at the Restoration, returned to Britain. It was not long before Charles evinced the same desire for the encouragement of the fishing industry that had actuated his father and his grandfather. He first directed his attention to the Scotch fisheries, and, on 12th June, 1661, had an Act passed authorising the erection of companies for the promotion of fisheries, called an "Act for the Fishings and erecting of companies for promoting the same."⁴ The new Societies for the Fishing were to be open to such Scotsmen and naturalised Scotsmen as subscribed to their funds not less than five hundred merks Scots. They were to have similar privileges to those of their predecessors, and were to be managed by a body of

¹ *Cal. S.P. Dom. Commonwealth*, vol. 228, No. 44.

² *Ibid.* vol. 124, No. 62.

³ "A Collection with some observations, touching the Royal Fishery of Great Britain and Ireland" (1696), p. 3.

⁴ *Act. Parl. Scotland*, vol. vii. pp. 259-261.

“Counsellors”—each of whom must have subscribed at least 1000 merks to the general fund.

All goods imported for the use of the Societies were to be free of customs duty; their fish were to be brought to land and exported without any kind of tax, while it was declared that “all ale, beir, strong waters and other provisions for outreiking of any vessel for the saids fishings of the saids companies, is and shall be free of all maner of impositions whatsoever.” In order to maintain the quality of the herring cured it was declared that each barrel of fish packed by these Societies was to be marked, “ilk barrel of grein fish to contain twelve gallons, which is to be the ordinar gage betuixt buyer and seller.” As a mark of special favour the members and employees were freed from service on juries and from various other forms of public duty, and were given a monopoly of the export trade in herring, it being declared that “no herring or white fish taken by Scotsmen in the said Kingdome or yles therto belonging be sold fresh or salt to any but to natives, except by the companies,” and again that “no persone or persones shall have libertie to export herring or fish, nor use or have the priviledges, liberties and iñnunities abovewřin but those that shall enter themselffes and be frie in one or other of the saids companies and societies.”

To further encourage these companies, the king on 6th February, 1662, issued a proclamation enjoining the observance of Lent, (a custom which had been in abeyance since 1640); Wednesday, Friday, and Saturday were also to be observed as the three fish days, on which it was forbidden to eat flesh, butchers being warned not to kill or sell meat on those days. Thus, the proclamation continued, “the young brood and store will be preserved, so that thereafter the hazard of security and dearth may be prevented and the fishes (which by the mercie of God abound in the salt and fresh watters of this kingdom) may be made use of for the

food and intertainment of the leidges, to the proffite and encouragement of many poor families who live by fishing." Exemption could be had only by procuring a special license from the Privy Council.¹ This proclamation was again made on 12th February, 1663, and on 2nd February, 1664.²

In accordance with the act establishing them, various fishing companies were formed throughout the country, but it was soon found that the old difficulties existed. Thus in 1661, even before the companies had been established, Gideon Murray, a merchant in Edinburgh, who had got ready two busses for the fishing at Shetland "for fishing and preparing of whyt and gray fishes," complained of the "hamburghers and lubickers," who were accustomed to engage all the available fishermen in the islands along with their boats. In answer to his request, it was declared that he was to be served in preference to the foreigners, in all respects, by the Shetlanders, and was to be allowed to buy their fish at the ordinary rates until his busses were loaded. Similar privileges were granted in the same year to the inhabitants of various fishing towns and villages in Fifeshire.³

In 1662, John Boswell, bailie in Kinghorn, and Matthew Anderson, bailie in Kirkcaldie, made supplication to the Privy

¹ License to Sir Robert Hepburne of Keith and his family to eat flesh in Lent, dated 12th February, 1663.

"The Lords of his Majesties Privy Council haveing considered the desire of the petition of Sir Robert Hepburne of Keith for haveing a license to eat flesh the tyme of Lent, and upon the thrie weekly fish dayes mentioned in the late proclamation, by these presents dispenses with and gives license to the said Sir Robert and these of his family to eat flesh dureing the said prohibite tyme, and upon the saids forbidden dayes, for the space of ane year efter the dait hereof, and declaires that the said Sir Robert shall no wayes be lyable to any of the paines containit in the said proclamation, and discharges all magistrates to proceed against the said Sir Robert as contraveiner thereof, for which these presents shall be a warrand."—*Reg. Privy Council, Scotland*, vol. i. (3rd series) p. 660.

² *Ibid.* pp. 153, 331, 491, 676.

³ *Act. Parl. Scotland*, vol. vii. pp. 64, 81.

Council on behalf of the fishing company which had just been formed in Fifeshire, asking that no Scotsmen should be allowed to sell to foreigners any "herring, whyt fish, lapsters, or oysters" until members of the company, who were to pay the ordinary market price, had been served. They also asked that no duty should be placed upon the petitioners besides the king's duty and anchorage. These petitions were granted.¹ On 12th June, 1662, Matthew Anderson again made a complaint against the magistrates of Crail. He had lately made a voyage to Holland with some oysters and lobsters bought by him in Crail. The magistrates of Crail now demanded one-third of the value of these lobsters, although he had already paid the usual dues to the magistrates of Kirkcaldy, in whose roadstead he had first arrived. They had, moreover, not only charged him all the usual anchorage and customs dues, but had imposed a tax of sixpence for each lobster exported from Crail, and upon his refusal to pay these exactions had imprisoned him in the tolbooth at Crail, and fined him £20 Scots. On investigating this case, the Council found that the magistrates of Crail were altogether in the wrong, and ordered them to make no such exactions in the future.² The members of the new societies for fishing were thus once more engaged in maintaining the privileges conferred upon them, against the opposition not only of their foreign competitors but of their fellow countrymen.

The very fact that the fishing companies were thus seeking to curtail the privileges enjoyed by strangers in the Scotch markets, shows that the old jealousy of foreign fishermen was by no means dead. The Dutch, in fact, were still regarded as the experts in all things pertaining to fishing, and were therefore both feared and hated as of old. The members of the fishing company at Glasgow, however, were

¹ *Reg. Privy Council, Scotland*, vol. i. (3rd series) p. 158.

² *Ibid.* pp. 223, 231.

not above seeking expert advice; in October, 1662, being about to send some vessels to the fisheries in the North Isles, they wrote to the Privy Council, stating their fear "that the way of the Hollanders making and dressing of these fishes" was not well understood by them, and asked that they might be allowed to include a Dutchman in their company who might teach them the best method of treating the fish. The Lords of the Council, taking a sensible view of the situation, considered the petition a reasonable one, and granted it.¹

In 1660, therefore, as in 1630, jealousy of the success of the Dutch sea fisheries was the moving factor in the attempt to develop the British fishing industry. Charles II., like his father, was establishing fishery companies, in the hope that he might thus succeed in taking away some considerable part of that fishing trade from which the Dutch still derived so great a portion of their national wealth. Anxious to have as reliable information as possible concerning the Dutch fisheries, he had sent Dr. Benjamin Worsley, Secretary of State for the Department of Trade and Plantations, into Holland. On his return, he announced to the king that the value of the Dutch herring fishery, at the lowest estimation, was three million pounds sterling per year, a sum exceeding the produce of the manufacturers of England or of France; he pointed out that this valuable fishery, together with her own home manufactures and her East Indian trade, made Holland the richest state in Europe, and deprecated the relinquishing of such a source of wealth to the Dutch, since to do so was to abandon for ever the supremacy of the sea. He was convinced that, owing to the great sums of money which had already been lost by those who had entered this fishing industry, it would be impossible to raise funds to carry on the fishery, unless it was made clear that it was the intention of the government to help

¹ *Reg. Privy Council, Scotland*, vol. i. (3rd series) p. 271.

and encourage it. He therefore advised the king to give the fishery "his signall and expresse Countenance, with the Publick authority of the Parliament," and suggested that the kingdoms of Scotland and Ireland should also be roused to take an interest in the scheme to be brought forward.¹

About the same time as Dr Worsley made this report, two public spirited men, named Smith Watson and Simon Watson, inspired by the same desire to see their fellow countrymen enter upon the business of the fishery, set forth, in great detail, "The Charge and Profit of one Busse of 70 Tunes employed one year in the ffishery, by wch may be computed the charge of a fleet,"² showing, in much the same sanguine fashion as Charles I. had done thirty years before, that the fishing industry was far more profitable than men imagined, and that it was folly to continue to pay Dutch fishermen to catch fish for English consumption.

These same enthusiasts also drew up "A Modell of a Controll for the Royal Fishery," in which they proposed that the employees of the Association should be paid according to the results of the fishing, "for this will stir them up to be more industrious, when the more they work for his Ma. the more they get to themselves." It would also, they very pertinently remarked, be a check upon fraud, since no man could defraud the Association without defrauding his fellows, "who will therefor for their owne interest, look one to another." The fishermen were to be paid according to the catch of their own vessel, while the general officers of the company were, they proposed, to be paid according to the takings of the whole fishing fleet. The estimate

¹ Dr. Worstleyes Proposall about the Herring Fishing of these three Kingdomes: Additional MSS. British Museum; Sea Fisheries, Temp. Car. II.

² Sea Fisheries, Temp. Charles II.; Additional MSS. British Museum. See Appendix.

of wages is interesting as showing the rate of seamen's earnings at the time.¹

They followed this with a statement of "The Incomparable Benefitt of the Fishery in his Maties Seas,"² in which they showed how greatly the English were dependent upon their enemies, the Dutch, for supplies of fresh fish of all kinds and also for pickled herring, and how profitable an undertaking the fishing was to the Dutchmen concerned, whose own registers showed as many as 300,000 lasts of herring taken in a single season, and sold at from sixteen to thirty-six pounds the last. This state of affairs they maintained to be a standing reproach to the English, who, by "slothfulness and improvidence," allowed thousands of persons to be idle at home, while strangers were coming hundreds of leagues to their very coasts, and were there reaping this rich harvest "which God and Nature sent to us." They further pointed out that there was added to all this the constant menace of the presence of a Dutch fleet of from twenty to thirty warships, which were always cruising off the English coast "under pretence of securing their fishermen," and urged that England could take her proper place among seafaring nations only by establishing her fisheries on a proper basis. To bear out their statements they then went into detail and gave "The charges of setting forth a fishing fleet," in a document which is full of interesting allusions to the fishing requisites of the time.³

Finally, they drew up a formal proposal for the founding of a national fishery,⁴ in which they embodied most of the stock ideas of the old pamphleteers with regard to the advantages to be derived from making this a national industry. Their object was attained, however; public opinion was now on their side, and the king determined, in some measure at least, to meet the desire of his subjects on the matter.

¹ Detailed in Appendix.

² Appendix.

³ *Ibid.*

⁴ *Ibid.*

CHAPTER VII.

CHARLES II. ; THE ROYAL FISHERY.

CHARLES II., so far as the scheme of a national fishery was concerned, was now in a position identical in almost every respect with that in which his father had found himself in 1630. The Dutch, in spite of heavy losses sustained during the naval war of the Commonwealth period, still maintained their powerful fishing fleet in the North Sea, the British fishing industry, compared with that of these hereditary rivals, remaining small and insignificant. These facts were well-known to the people at large, many of whom felt, as the men of the preceding generation had done, that the long continuance of such a state of affairs amounted to a national disgrace. To complete the parallel, there was the same crowd of pamphleteers, bent on arousing the mass of the British people from the state of lethargy in which they lay, by graphic accounts of the wealth derived by the Dutch from their fisheries, and of the ease with which the British, if they cared, might also build up a national fishery which would, in similar fashion, render them rich and powerful among the nations of Europe. Charles II. again, like his father, was inclined to believe that there was much truth in what these writers said ; he was statesman enough to perceive that the future of Britain was bound up in her reaping to the full those advantages naturally given by her insular position, and thought, with the pamphleteers, that the development of a national fishery, since it must in-

crease the number of the seagoing population and thus create a reserve of seamen, was a means to the desired end. He, therefore, resolved to revive the Association for the Fishing, and on August 22nd, 1661, appointed James, Duke of York, along with numerous other noblemen and officers of state, as the Council of the Royal Fishing of Great Britain and Ireland, with powers and privileges identical with those held by the Council of the Royal Fishery of the time of Charles I.¹

The new company, however, was granted some further privileges. For seven years its fishing vessels were to pay no duties to the customs, while, to ensure that there should be a demand for its fish, all victuallers were to be compelled to buy yearly from one to four barrels of herring, at the fixed price of 30s. per barrel. Those who invested money in the company were assured that the risk of loss was slight, since special attention was to be given by the authorities to the provision of an adequate convoy for the fishing vessels.² In response, moreover, to a special request by the Council for the Fishery, the lottery of the Royal Oak was granted them for three years,³ while, as a public recognition of the fact that the Council was about to enter upon the performance of a national service, orders were given that a collection should be made in the churches throughout the various counties of England, so that funds might be provided for the erection of wharfs, docks, storehouses and the buildings necessary for the work of the company.⁴

The king, in connection with this collection, interested himself so far on behalf of the Royal Fishery as to issue a special appeal to his people, commending the project to their liberality, since it aimed at giving employment to the poor through the revival of an industry of the utmost

¹ *Cal. S.P. Dom. Car. II.*, vol. 40, No. 75.

² *Ibid.* vol. 40, No. 75.

³ *Ibid.* vol. 86, No. 104.

⁴ *Ibid.* vol. 40, No. 75.

importance to all coast towns. All local officers and ministers throughout England, were therefore asked to see the collection duly made and the money realised given to the High Sheriffs of the counties to be handed to the Earl of Pembroke, who was to act as Treasurer for the company. In spite of the personal influence of the king, however, his appeal was fruitful of result only in a few of the counties of the south and west, and particularly in Kent.¹ The amount of the collection was returned as £818 6s. 4½d., and, since the expenses of collection were £543 10s. 4d., the net sum given to the company was £274 16s. 0½d. The Earl of Pembroke gave the following statement of the amounts contributed by the churches in some of the counties.²

County of Southampton	-	-	-	£35	7	2
„ „ Surrey	-	-	-	28	15	6
„ „ Berks	-	-	-	14	9	3
„ „ Bucks	-	-	-	21	7	10
„ „ Middlesex	-	-	-	45	2	2½
„ „ Oxon	-	-	-	24	19	8½
„ „ Hertford	-	-	-	6	14	1
„ „ Hereford	-	-	-	3	3	6
„ „ Devon	-	-	-	9	15	0
„ „ Salop	-	-	-	9	17	0
„ „ Wilts	-	-	-	12	5	3
„ „ Somerset	-	-	-	5	0	0
„ „ Kent	-	-	-	75	19	8
„ „ Exon	-	-	-	7	8	4

Although Charles and the promoters of the Royal Fishery must have felt disappointed at the want of enthusiasm with which their public appeal to the sympathies of the nation had been met, they were not to be thus easily dissuaded from their enterprise, and continued to make their preparatory arrangements. By September, 1662, these arrangements were so far advanced that it was resolved to make

¹ *Cal. S.P. Dom. Car. II.*, vol. 41, No. 19

² *Ibid.* vol. 73, No. 56.

a commencement with ten fishing vessels. Orders were accordingly given for the building of these vessels, the intention being that they should "sail to the Shetland Isles, to take the privilege of fishing before other nations."¹ The cost of building these ships was to be £9,000, Harwich and Deptford being selected as towns suitable for building them.² The king, moreover, still anxious to foster the work of the company, and desirous of seeing its fleet increased as much and as quickly as possible, announced, in November, 1662, his intention of giving £200 to every man who should, by the middle of the following June, build a fishing buss and equip it with all the necessary fishing gear. Samuel Pepys tells how this announcement was first made public by Lord Sandwich, in presence of a large number of naval officers and private gentlemen who had gathered at the funeral of Sir Richard Stayner.³

The final steps towards establishing the society were taken by the king on March 12th, 1664, when the Duke of York was appointed as its Governor,⁴ and on April 8th, 1664, when a charter under the Great Seal of England was granted in due form to the Corporation for the Royal Fishery.⁵ Of this Corporation the Duke of York was Governor, Lord Craven, Deputy Governor, the Lord Mayor and the Chamberlain of London, Treasurers. "Several other very great persons, to the number of thirty-two," are said by Pepys to have constituted the council of governors of the association, appointed "for their lives," Pepys himself being one of these "very great persons."⁶ From the very beginning, however, Pepys had no very favourable impression concerning those sitting with him

¹ *Cal. S.P. Dom. Car. II.*, vol. 59, No. 6.

² *Ibid.* vol. 59, No. 7.

³ Pepys' Diary, November 28th, 1662.

⁴ *Cal. S.P. Dom. Car. II.*, vol. 94, No. 74.

⁵ *Ibid.* vol. 96, No. 65.

⁶ Pepys' Diary, March 10th, 1664.

among the governors, and feared the worst for the enterprise. On July 7th, 1664, for instance, he writes, "To Whitehall and there found the Duke and twenty more reading their commission (of which I am, and was also sent to, to come) for the Royall Fishery, which is very large, and a very serious charter it is; but the company generally so ill-fitted for so serious a worke that I do much fear it will come to little."

Two days afterwards, on July 9th, the members of the council were required to take an oath to be true to the interests of the company. Their conduct on this occasion confirmed in the mind of Pepys that opinion which he had already formed concerning them and the prospects of the society. Two motions were laid before them, the one that they should swear to be true to the company to the best of their power, the other, to the best of their understanding. The latter motion was carried, a fact which Pepys considered ominous for the success of the new society, since thus the governors would be, as he puts it "least able to serve the company, because we would not be obliged to attend the business when we can, but when we list. This consideration did displease me, but it was voted and so went."

It was not long before the fears of Pepys that the management of the company had not been entrusted to a body of men sufficiently interested in the enterprise were confirmed. A meeting of the council of the fishery had been called for September 3rd, and this Pepys attended, to find that so little interest was being taken in the affairs of the company that there were not more than four persons present. His thoughts on this occasion he records thus: "After dinner to Whitehall, to the Fishing Committee, but not above four of us went, which could do nothing, and a sad thing it is to see so great a work so ill followed, for at this pass, it can come to nothing but disgrace us all."

With such slight interest on the part of those at the head of affairs, it is not surprising to find that the society was so unfortunate in its undertakings that, in a short time, various methods of subsidising it had to be adopted. The first proposal was that money should be raised for its support by giving it the monopoly of coining farthings. To this proposal Pepys consented readily enough. A second proposal, however, that the funds of the company should be increased by the establishment of lotteries to be administered on its behalf, was viewed by him with indignation; "I was ashamed to see it," he writes, "that a thing so low and base should have anything to do with so noble an undertaking."¹ In spite of his opposition, however, proclamation was made on June 21st, 1665, when the disastrous Dutch war had greatly increased the necessity of the company, forbidding any persons to use or exercise lotteries in Great Britain or Ireland, except Sir Anthony Desmarces and four others, to whom the sole right of managing them was granted, in order that they might raise a stock for the Royal Fishery Company.²

Meanwhile, an attempt had been made to reach those counties of England which had not responded to the king's appeal when the first collection for the fishery had been made in 1662. This second collection was completed in 1664, when Samuel Pepys, along with George Duke, secretary to the Royal Fishery, was deputed to make a report upon the result.³ It is in connection with his inquiry into this collection that Pepys writes in his Diary under date October 10th, 1664: "To the office, and there late, and so home to supper and to bed, having at up till past twelve at night to look over the accounts of the collection for the fishery, and the loose and base manner that monies so

¹ Pepys' Diary, September 13th, November 18th, December 3rd, 1664.

² *Cal. S.P. Dom. Car. II.*, vol. 124, No. 142.

³ *Ibid.* vol. 103, No. 130.

collected are disposed of in, would make a man never part with a penny so disposed of, and above all, the inconvenience of having a great man, though never so seeming pious as my Lord Pembroke is. He is too great to be called to an account, and is abused by his servants, and yet obliged to defend them for his owne sake.”

The report of Pepys and Duke upon the collection was made on October 25th, 1664. Of the 52 counties of England and Wales, they observed, only 32 had taken notice of the royal proclamation.¹ From these counties the sum already received was £1,076 ; the Earl of Pembroke, however, had still a considerable sum in his possession, while Mr. King, who had been engaged in the collection for the Earl, still retained £429. Statements had also been made as to £412 already gathered but not yet placed to the credit of the society. Pepys was indignant at the conduct of Mr. King, who, instead of handing over the £429 entrusted to him, “insinuated in his accounts” that he had assigned to the Fishing Company the lease of a house situated in Harwich, which belonged to himself, and was said by him to be of the value of £700. “It may be fitt,” writes Pepys, sarcastically, “to inquire whether this house was not long agoe otherwise disposed of by him, and is since fallen to his Ma^{tie} and now actually imployed by the officers of the Navy in his Ma^{ties} service.” Pepys also drew

¹ These were :—

London & Middlesex	Northampton	Leicester
Essex	Southampton	Nottingham
Norfolk	Oxon	Somerset
Surrey	York	Lincoln
Barkshire	Hereford	Durham
Suffolk	Wiltshire	Salop
Buckinghamshire	Exon	Northumberland
Kent	Cambridge	Cumberland
Harford	Darby	Carlisle
Devonshire	Lancs	Berwick
Brecknock	Westmoreland	

Cal. S.P. Dom. Car. II., vol. 103, No. 130.

attention to the fact that in another point Mr. King was defrauding the company, since upon the collection of a certain sum of £115, he was awarding himself the disproportionate amount of £47, "which," he remarks, "is after the rate of 8s. per pound and more." Finally, in order that the whole matter of the collection might be placed upon a business footing, Pepys suggested that both the Earl of Pembroke and Mr. King should be compelled to give in an exact return of the money received by them, and this particularly with regard to the amounts collected in London, since no account had been rendered of a great part of the contributions from the metropolis."¹ Pepys seems to have been much gratified by the reception of his report on this occasion. In his Diary for October 25th, 1664, he writes, "To the Committee of the Fishery, and there did make my report of the late public collections for the Fishery, much to the satisfaction of the Committee, and I think much to my reputation, for good notice was taken of it and much it was commended." Again on November 1st of the same year his entry reads, "My report in the business of the collections is mightily commended and will get me some reputation, and indeed is the only thing looks like a thing well done since we sat."

The Society, however, was too much perturbed by the outbreak of war with Holland to have any mind to inquire into the manner in which its affairs had been conducted. The Dutch admiral, De Ruyter, immediately upon the declaration of war in 1664, had acted with his customary energy, his first efforts being directed against the English possessions on the West Coast of Africa, where he was uniformly successful. The year thus closed with but a gloomy outlook for the English merchants and particularly for those of them who were connected with the fishing industry, since they knew that whether the English were ultimately

¹ *Cal. S.P. Dom. Car. II.*, vol. 103, No. 130.

victorious over these dogged opponents or not, the business of fishing must be in practical suspension until peace was proclaimed. Pepys, in his Diary under date 22nd December, 1664, thus voices this general feeling of foreboding:—
“To the Change, and there, among the merchants, I hear fully the news of our being beaten to dirt at Guinny by De Ruyter with his fleete. The particulars, as much as by Sir G. Carteret afterwards I heard, I have said in a letter to my Lord Sandwich this day at Portsmouth; it being almost wholly to the utter ruine of our Royall Company, the reproach and shame to the whole nation.”¹

The sequel brought a state of affairs more desperate than even the most pessimistic could have deemed possible. London, ravaged by the Great Plague, devastated by the Great Fire, heard in 1667 the guns of the Dutch in the Medway, and witnessed the Dutch fleet supreme in the Channel. Overwhelmed by the troubles of the time, the Governors of the Fishery Company, in the same year that saw the fortunes of England at their lowest ebb, represented to the king the desperate condition of their affairs, and asked that a grant of the whole power of coining and issuing farthings should be given them, their intention being to give twenty-one shillings' worth of farthings for one pound in silver, and to retain five shillings in every pound for the company.² The same proposal was made in 1668, it being declared then that this seemed to be the only practical method of supporting the work of the society.³

Charles, however, deeply involved in the world of intrigue, had no longer the will to devote his energies towards the revival of the Royal Fishery. Moreover, he knew that

¹ As the Great Fire of London, in the very next year, destroyed all the books and accounts of the Fishmongers' Company, these entries in Pepys' Diary have a peculiar interest.

² *Cal. S.P. Dom. Car. II.*, vol. 188, No. 124.

³ *Ibid.* vol. 251, No. 162.

though peace had been declared with Holland in 1667, the result of his own understanding with Louis of France must be to render inevitable a renewed outbreak of the struggle, and that it was futile to attempt to raise up the national fishery until that struggle had passed and there was safety for fishing vessels in the North Sea. Meanwhile, Charles' desire to establish Roman Catholicism in England weighed far more heavily with him than the wish for the prosperity of his country ; the Royal Fishery, along with every other branch of English commerce and industry, was sacrificed for the sake of his schemes, which included an alliance with France and demanded for their success the downfall of Holland. The renewed outbreak of war which the king sought came in 1672 ; not till 1674 did Charles find it politic to yield to the wishes of his subjects and make peace with the Dutch.

During these ten years of trouble from 1664 to 1674—for during the period, whether England and Holland were technically at peace or at war, there was no cessation of hostilities between the rival fishing fleets—fishing in the North Sea was very much at a standstill. The fact that fishing boats and their gear deteriorate rapidly when left idle impelled some of the more hardy fishermen to set out for the fishing grounds, in defiance of all dangers, but the number of these was comparatively small. Thus, even in 1669, when England and Holland were at peace, at any rate so far as the governments of the two countries were concerned, only twenty-three vessels left Yarmouth for the North Sea fishing grounds.¹ Throughout the period, the fishermen never ceased to complain of annoyance from the Dutch war vessels, whom success had rendered more arrogant than ever ; the danger of capture was admittedly great, and a convoy was regularly appointed to accompany such fishing vessels as did venture to sail. In spite

¹ *Cal. S.P. Dom. Car. II.*, vol. 257, No. 25.

of all promise of convoy, however, the fear inspired by the Dutch was such that it was but rarely that owners ventured to allow their vessels to leave port, and the North Sea was almost deserted both by merchant ships and by fishing vessels. Thus, in 1672, while the war was still raging, the crew of a solitary fishing vessel belonging to Yarmouth who had braved the dangers of the voyage to the North Sea fishing grounds reported on returning that "sailing all along the coast they saw not one sail since they came out of their fishing grounds till they came here."

A state of affairs which drove English commerce from the seas for such a considerable period must have ruined many English shipowners and done incalculable harm to all connected with the fishing industry. When the war with the Dutch ended, the Royal Fishery Company had ceased to exist. The close of the first phase of the war had seen the company on the verge of ruin, its governors petitioning the king for a grant of the monopoly of coining farthings as the only means of maintaining the already feeble existence of the society. The end of the second phase of the war brought no similar appeal from the company; the war had brought its business to a standstill and the enterprise had been abandoned, its vessels being left to deteriorate into useless hulks. This is brought out in a letter written in 1674, when the war had just ended, by a certain Mr. Roger L'Estrange, who was already seeking to promote a new fishing company, to a Mr. Williamson. Concerning the ships belonging to the Royal Fishery Company, he writes, "His Majesty has several vessels that lie rotting for want of care and employment, many of which were built for the fishing."¹

Even when the Royal Fishery Company was thus sinking to oblivion, however, there were not wanting pamphleteers to represent the folly of allowing the fishing industry to

¹*Cal. S.P. Dom. Car. II.*, vol. 361, No. 235.

fall to ruin. In 1670, a pamphlet appeared, entitled *The Royal Fishing Revived*, which contains many interesting particulars concerning the state of trade in England at this time.¹ The writer acknowledges that the Dutch have possession of the fishing trade. The reasons for this he summarises thus : They have multitudes of men, cheapness and convenience for building ships, advantages in barter and exchange, and an admitted excellence in packing and curing all kinds of fish, with the one exception of red herring. They give facilities for trade to all nations and have low customs duties. England, on the other hand, suffers from lack of population. This he ascribes to the peopling of the American plantations, the re-peopling of Ireland after the great massacre, the Great Plague of 1665, the law against naturalisation, and finally, to the corporations, which restrict trade to those who are freemen of them. English ships, he affirms further, are dearer than Dutch ships, a Dutch ship being built for half the price of an English one of equal dimensions. This he attributes first to the dearness and scarcity of timber in England, and, secondly, to the Act of Navigation, "which not only restrains the importation of Timber, Pitch, Tar, Hemp, and Iron, to these dear built ships, and the ships of the natives of the places from whence they are had, whether they have ships or not, but also it gives freedom to the Dutch to import all sort of Manufactories made of these Growths, which they acquire for half the price the English can ; whereby the English have wholly lost the Trade for fitting up ships for this or any other Trade."

The English ship, moreover, the writer says, is not of convenient size, a Dutch ship of equal size being manned effectively with half the number of hands. This he ascribes to the fact that the building is confined to Englishmen,

¹ *The Royal Fishing Revived: Cal. S.P. Dom. Car. II.*, vol. 281a, No. 244.

“who are very few and know no other way.” The English also suffer from a “want of sale of commodities,” due to the greatness of Customs, since these are “20 times more than in the Netherlands,” to the dearness of the English ships and their want of suitability for foreign trade, and finally to the high rate of interest in England, this being “about one-third more than in the Netherlands.”

Lastly, the writer refers to the negligent and corrupt curing of fish by the English, which “proceeds from lack of council of trade to inspect,” and set forth several ingenious ideas with regard to reviving the fishing industry. He wished this branch of trade to be open to all sorts of foreigners, and “restraint by Corporations” to be abolished. Beggars and all other poor people, provided they were not sick or impotent, were to be employed in the fishery. All persons who had been condemned for any less crime than that of murder, were to be “compelled to redeem their crimes, and in some measure to make compensation, by extraordinary labour in this trade.” All persons who had been imprisoned for debt, and who could not pay off their debts, were to be sent to the fishing. He proposed that the Act of Navigation should be repealed and foreigners encouraged, and that a Council of Trade should be established in England. Finally he suggested that “all houses built upon new foundations within the city and suburbs of London, since 1657 (except such as have been consumed by fire), pay a fine to the value of one year’s rent, to be employed towards the carrying on of the Royal Fishery.”

Since they came contemporaneously with Charles’ second declaration of war upon Holland, it was not to be expected that this pamphlet and those of a like nature¹ that accompanied it could do much towards reviving the waning fortunes of the Royal Fishery. The war, however, had scarcely

¹ For similar pamphlets see *Cal. S.P. Dom. Car. II.*, vol. 369, No. 263; *Ibid.* No. 264; *Ibid.* No. 265.

ended when some of those many Englishmen who were still of opinion that the fishing was an industry worthy of national support, were endeavouring to rouse public interest in their scheme. In a short time they had enlisted the sympathy of a sufficient number of people to form another company, and in March, 1676, the scheme took practical shape. The Earls of Suffolk, Scarsdale, and Carlisle, with some others, represented to the king that they had raised a common stock with a view to engaging in the fishing industry, and petitioned that they should be given letters patent incorporating them as a company. They further asked that the proposed company should be granted certain privileges, prominent among these being an allowance out of the Customs of £20 per annum for seven years for every ship to be employed, and of £50 per annum for the maintenance of an orthodox minister for ever, at the place where the company should settle the fishery. In addition to this, they asked that they should be allowed to land their fish without paying duty, and that they might be granted the moneys formerly collected for the Royal Fishery by virtue of the Commission of 22nd August, 1661. They asked also that all foreigners becoming employees of the company for seven years should be naturalised, and that all foreign-built vessels belonging to the company should be recognised as being English ships to all intents and purposes.¹ These proposals were placed before the Commissioners of Customs for their approval; the king, however, did not wait for their report, but, in May, 1676, granted a warrant for a charter of incorporation of the Company of the Royal Fishery of England.²

¹ *Cal. S.P. Dom. Car. II.*, vol. 379, No. 87, I.

² *Ibid.* vol. 382, No. 39.

Warrant, May, 1676.

Our will and pleasure is that you prepare a Bill fitt for Our Royall signature to passe our great seale of England, containing our Charter and Grant of Incorporation unto the Adventurers and Undertakers of the fishing

The Commissioners for Customs on June 12th, 1676, gave their report on the proposed patent for the erection of a royal fishery. They had many objections to offer; they saw no reason why a company should be erected "for such sorts of fishing as are already in good use and practice by his Ma's subjects"; neither could they understand why privileges should be allowed a company to carry on trades already well carried on without them, to the great discouragement and prejudice of those already engaged. Such as were already engaged would, in fact, be compelled either to join the company or to abandon their business. The terms of admission to the company and its various rules and bye-laws were, they thought, not sufficiently clear and definite, while freedom from customs was contrary to all laws dealing with trade and navigation. They feared, moreover, that the proposed bye-laws of the company allowed an inlet to foreigners, since the ships of the company might be entirely manned by such persons. It was not even stipulated, they pointed out, that foreigners employed by the company should live in Britain, or that vessels must be victualled and equipped there.

So far as regarded the gratuity to be granted in respect of each vessel belonging to the company, they objected that there was no obligation that these vessels should bring their fish to England and land it there; thus not only might the

trade by the name of the Company of the Royall fishery in perpetuity, with the severall Powers, Priviledges, and immunityes hereunto annexed and such other Powers, Priviledges, and immunityes and in such full and comprehensive Clauses for the good government and Regulations of the said Company as are fitt and usuall in Charters of like nature. And you are to insert therein a Declaracon that wee, Our heires, and successors will alwaies have the said Company under our speciall Protection. And for so doing this shall be your warrant.

Given at our Court at Whitehall, the — day of May, in the 28th yeare of our Raigne,

To our trusty and well-beloved

Our Attorney General

By his Maies. cõmand.

men, vessels, and stock be foreign, “but the whole trade may be also driven in Scotland or Ireland, or in foreign parts beyond sea and yet capable of this Bounty.”¹

In face of these numerous objections, the king was prevailed upon to send back the proposals of the Fishery Company to be revised. The council of the company, however, did not wait for their patent to be issued in its final form, but commenced work with a small fleet of doggers, one of which had scarcely gone to sea before, in July, 1676, it was captured by a French privateer.² The seven remaining vessels belonging to the Fishery Company were named as follows: *The King's Fisher*, *The Adventure*, *The Speedwell*, *The Success*, *The Frogg*, *The Holy Island*, *The Experiment*.³

On February 28th, 1677, the patent for the Royal Fishery was issued in its final form, some of the former proposals having been modified to suit the wishes of the Commissioners for the Customs. The Duke of York was again to be at the head of the Royal Fishery, and along with him there was placed the Earl of Danby. The company, it was arranged, should be managed by a General Court, which was to consist of the Governor, the Sub-Governor, the Deputy-Governor, and a committee of twelve. It was given powers to purchase lands and tenements not exceeding £1,000 per annum in value, and was granted a common seal; its vessels were to be allowed to fish in all waters of Great Britain and Ireland, so long as they did not encroach upon the privileges of any other corporation or private person. On any ground not belonging to private individuals, houses necessary for the work might be erected, or wharfs and docks built by the company, without payment of rent or duty to the king; the members of the company were at liberty to sell their fish wherever they wished, either in exchange for money or for

¹ *Cal. S.P. Dom. Car. II.*, vol. 382, No. 39.

² *Ibid.* vol. 383, No. 91.

³ *Ibid.* vol. 387, No. 242.

other commodities. The freedom from customs dues originally granted was withdrawn, but as a compensation for this, the company was to be allowed £200 for every dogger built for it.

For the first seven years of its existence, the company was to receive an annual subsidy of £20 for every vessel actually employed in fishing. This sum was to be paid every quarter to the treasurer of the company in London. Fifty pounds was also to be allowed annually for the maintenance of an orthodox minister. All employees of the company were to be exempt from the operations of the press gang and were not to be compelled to serve as jurymen, or to accept any other office, civil or military. The company was also granted all moneys previously collected for the national fishery, and was promised adequate convoy for its vessels in time of war. Finally, the commission granted to the former company for the fishing was revoked.¹

With privileges, therefore, which were far in excess of those granted to any of its predecessors, the company was established, its capital according to the writer of *A Collection concerning the Royal Fishery*,² being £10,980, to which was shortly afterwards added £1,600. Given favourable circumstances, therefore, combined with reasonably careful management, this company would have succeeded in doing all that its promoters hoped; but some unkind destiny seemed still to thwart the well-meant endeavours of any who sought to develop British fisheries. The times were not yet propitious for the enterprise. Europe was now aroused to the menace arising from the ambitious designs of Louis XIV.; the Grand Alliance had been formed; a naval war was raging in which the combined fleets of Holland and Spain confronted that of France. Unfortunately, a great many of the vessels of the fishing

¹ *Cal. S.P. Dom. Car. II.*, vol. 391, Nos. 63 and 63.1.

² *A Collection, with some observations concerning the Royal Fishery*, 1696.

company had been purchased in Holland, and were not only Dutch built but also Dutch manned. The natural result was that these vessels were seized as lawful prizes by the French.

The company had thus scarcely begun its work before it had to provide itself with a new fleet. The strain upon its capital was so great that, in 1682, the council of management declared that a capital of £30,000 or at least of £20,000, should be raised as quickly as possible. The minds of men, however, were already beginning to be agitated by the Romanist sympathies of the Duke of York, and no cause could hope for much popular sympathy which had him at its head. The proposal, therefore, met with no hearty response, and as a means of interesting a greater number of gentlemen in the enterprise, the Council now agreed that the company should consist of not more than forty-five and not less than twenty-eight members.

The members of the company now set themselves to the task of placing the affairs of their society on a sound basis, but while they were thus labouring Charles II. died. The position of the company was now almost exactly similar to that in which the first Association for the Fishing had found itself in 1642. The kingdom was seething with discontent, no man knew what might be the upshot of the king's mad quarrel with his people. It was certainly not a time in which men would be willing to risk capital in a company which depended for its very existence, to a considerable extent, upon royal patronage. The fate of the dynasty was trembling in the balance, and it was to be expected that the establishment of the Fishery Company should be looked upon as a matter of little importance. Men put the question into the background until brighter days should dawn, and the endeavour to found a national fishery was once more abandoned until a stable government should be established in England.

The company for the fishing established in Scotland under the patronage of Charles II. had, naturally, laboured under the same disadvantages as that established by him in England, and like it, but at an earlier date, had succumbed under the untoward set of circumstances produced by the Dutch wars.¹ The Royal Company, however, although it had ceased to prosecute the fishing, still continued to exact a tax of six pounds Scots on all herring exported from Scotland. In 1690, by Act of Parliament, the Company was formally dissolved; the right to exact this tax was now withdrawn and the merchants of the Royal Burghs were invited "to employ their stocks and industry in the trade of fishing and cureing of herring," all privileges taken from them at the erection of the Royal Company being now restored.²

With the accession of William and Mary, renewed efforts were made to encourage the fishing industry, efforts which ultimately were crowned with success. The seventeenth century had witnessed a long series of unsuccessful attempts on the part of Britain to cope with her Dutch rivals in the fishing trade; the eighteenth century was to see Britain supreme in the North Sea.

¹ *Convention of Royal Burghs of Scotland*, vol. iv., p. 72.

² *Act. Parl. Scotland*, vol. ix., p. 224.

APPENDIX.

DIRECTIONS FOR THE BUILDING OF A HERRING BUSSE.¹

The length of the Busse, from Stemme to Sterne, must bee 75 Foot. That is to say 45 Foot the length of the Keele.

It must be :

18 Inches deepe, the fore part of the Keele.

12 Inches deepe, the after part of the Keele.

14 Inches the breadth of the Keele.

23 Foot the Stem or Rake which must bee, viz. :

5 Foot Crooked.

20 Inches Broad the fore stem.

7 Foot the Sterne poste must fall backward.

The Sterne post must be 20 Feet and crooked on the Inside, 16 Inches Square on the afterside, and 7 Inches thicke.

The fore stem must fall in length forwards 23 Foot, 7 foot deepe begets 16 foot and a half broad in the Midship, within the Tymbers.

10 Foot deepe from the keele to the uppermost Deck.

4 Feet 3 inches the lower deck from the keele, wherein are 10 double roomes, besides the Net roomes for stoage.

5 Foot 9 Inches betweene the Decks.

The stoage will be 412 Barrels, which 412 Barrels, reckoning 12 Barrels to the Last, produceth 34 Lasts and foure Barrels.

Complete cost 500 li.

Whole charge of

56 Netts amounts to - - - - 237 li 4s. 4d.

¹ *The Herring Busse Trade, expressed in Sundry particulars*, by Simon Smith, Agent for the Royal Fishing (1641).

THE CHARGE AND PROFITT OF ONE BUSSE OF 70 TUNES
EMPLOYED ONE YEARE IN THE FFISHERY, BY WCH MAY BE
COMPUTED THE CHARGE OF A FLEET.¹

THE CHARGE.

Such a Busse with all her tackle ready to launch forth will cost - - - - -	£403 10 0
To sett her forth with all lasting and wasting comodities for ye whole year - - - - -	695 18 8
Wages for 15 men and sallaries to land officers for our Busse may be paid - - - - -	238 1 0
	<hr/>
	£1337 9 8
	<hr/>

THE PROFITT.

The Herrings usually taken in such a busse in one yeare is seldome less than 100 Lasts worth - - - - -	£1000 0 0
Of cod 15,000 worth 450 l., of Ling 10,000 worth 800 comes to - - - - -	1250 0 0
	<hr/>
	£2250 0 0
	<hr/>

By this accompt (wch is the whole years charges, though provisions are shipped at severall tymes and the Sallaries are paid at ye vessells returne by the Comodities they bring home), it appears that the Herrings, Cod & Ling taken in one year by a Busse of 70 Tunnes (besides two moonths set apart for caulking the vessel) doth repay the whole money adventured with Interest of 70 per cent. and the Buss with all her lasting provisions clearly gained, and about 1500 li. a year so long as she lasteth afterwards, 500 of which Busses would in two years tyme raise his Matie. sufficient moneys to make them up 2000 Busses, which will bring him in yearly between two and three millions of pounds sterling (besides the saving of 300,000 li. yearly of ready money wch is laid out with ye Dutch for the fish only caught in our own

¹ Sea Fisheries, Temp. Car. II.; Additional MSS. British Museum.

seas), and if his Matie. should sell them beyond sea as the Hollanders doe, he might in some places almost quadruple the price here sett down, which is the lowest rate that any reckon, and what more may be made of them will sufficiently defray all extraordinary charges.

This may be performed with a reasonable charge wch may safely be raised in this kingdom, as should humbly be offered should his Matie. please to order that it might be seriously debated.

SMITH WATSON.

SIMON WATSON.

WAGES AS DETAILED IN "A MODELL OF A
CONTROLL FOR THE ROYAL FISHERY." ¹

The Shipmasters pay for herring, per last	-	£0	6	0
„ „ for cod, per cent.	-	0	2	0
„ „ for ling, per cent.	-	0	4	0
The Mates pay for herring, per last	-	0	1	6
„ for cod, per cent.	-	0	0	6
„ for ling, per cent.	-	0	1	0
A mariner or fisherman's pay for herring, per last	0	1	0	
„ „ „ for cod, per cent.	0	0	4	
„ „ „ for ling, per cent.	0	0	9	
A ^l labourer or new seaman's pay for herring, per last	0	0	8	
„ „ „ for cod, per cent.	0	0	2	
„ „ „ for ling, per cent.	0	0	7	
The Shipboyes pay for herring, per last	-	0	0	3
„ „ for cod, per cent.	-	0	0	1
„ „ for ling, per cent.	-	0	0	3
The Wharfmaster's pay for herring, per last	-	0	1	0
„ „ for cod, per cent.	-	0	0	6
„ „ for ling, per cent.	-	0	1	0
For his six men clerks, packers, for herring, per last	0	0	3	
„ „ „ for cod, per cent.	0	0	1	
„ „ „ for ling, per cent.	0	0	2	

¹ Sea Fisheries, Temp. Car. II. ; Additional MSS. British Museum.

The Registrar's pay	for herring, per last	-	£0	0	6	
„	„	for cod, per cent.	-	0	0	3
„	„	for ling, per cent.	-	0	0	6
For his three Clerks	for herring, per last	-	0	0	0ob.	
„	„	for cod, per cent.	-	0	0	0ob.
„	„	for ling, per cent.	-	0	0	1
The Controller's pay	for herring, per last	-	0	0	3	
„	„	for cod, per cent.	-	0	0	1
„	„	for ling, per cent.	-	0	0	3
For his four Clerks	for herring, per last	-	0	0	1	
„	„	for cod, per mille	-	0	0	1
„	„	for ling, per cent.	-	0	0	0ob.
The Treasurer's pay	for herring, per last	-	0	0	2	
„	„	for cod, per mille	-	0	0	1
„	„	for ling, per cent.	-	0	0	2
For his four Clearkes	for herring, per last	-	0	0	1	
„	„	for cod, per mille	-	0	0	1
„	„	for ling, per cent.	-	0	0	0ob.
The Providitor's pay	for herrings, per last	-	0	0	2	
„	„	for cod, per cent.	-	0	0	1
„	„	for ling, per cent.	-	0	0	2
For his 3 Clearkes	for herring, per last	-	0	0	1ob.	
„	„	for cod, per mille	-	0	0	1ob.
„	„	for ling, per cent.	-	0	0	1
The Vender's pay	for herrings, per last	-	0	0	2	
„	„	for cod, per cent.	-	0	0	1
„	„	for ling, per cent.	-	0	0	2
For his 4 Clearkes	for herring, per last	-	0	0	1	
„	„	for cod, per mille	-	0	0	1
„	„	for ling, per cent.	-	0	0	0ob.
The Auditor's pay	for herring, per last	-	0	0	2	
„	„	for cod, per cent.	-	0	0	1
„	„	for ling, per cent.	-	0	0	2
For his 4 Clearkes	for herring, per last	-	0	0	1	
„	„	for cod, per mille	-	0	0	1
„	„	for ling per cent.	-	0	0	0ob.

THE INCOMPARABLE BENEFITT OF THE FISHERY
IN HIS MATIES. SEAS.¹

Whereas six hundred thousand pounds would sett up the Fishery of England by raising a ffeet of ffive hundred Busses of 70 Tunnes, the Busses all ready furnished for that employment, and also make wharfs which may be taken up and storehouses where may be laid in provisions of all sorts.

1. By giving an universall employment to ye poor of this Kingdome whereby they may all have comfortable subsistence, the home-dwelling poore without taking collection, ye travailing beggers without taking alms, the lusty rogues without stealing, and the children of them all without being first habituated to an idle course of life, to the saveing at least of one hundred thousand pounds in the purses of the richer sort.

2. By increasing his Mas. Revenue for the Custome of fish outward and the Commodities returned for it inwards, wch with some reasonable tribute from all forreiners that shall fish on his Maties. Seas will probably raise the Royal Revenue to 200,000£ more than now it is. But by how much more his Ma. shall have this raised to him by the fishing, by so much less shall he need to require the pecuniary aid of his subjects.

3. By furnishing the Kingdom and ourselves with all variety of fish, whereas heertofore we have used to buy great quantities thereof of the Hollanders, both fresh and salt, and that for ready money, as first Lobsters, a fishing not much used by the English, also ye choyesest barrelled Cod wch the Dutch only had by reason of their keeping the sea in winter. Fresh cod likewise we commonly bought of ye Hollanders att 40/ or 50/ for a hundred of them.

For these and for Turbutts, Hallibutts and divers other sorts of excellent fresh sea fish, wherewith his Matie., ye Nobility, ye Citty of London, and other parts are supplied, and whereof little is taken but only by ye Dutch, who only can keep them alive in ther well boats, we paid them many thousand pounds, and next for Salt fish we bought of them most of the pickled herrings that were eaten in England, and so many of these we

¹ Sea Fisheries, Temp. Car. II. ; Additional MSS. British Museum.

made Red Herrings to sell into the Streights and other marketts as were more than what wee tooke ourselves, to the value at least of another hundred thousand pounds. Besides the Hollanders had 500 other shippes employed upon his Maties. seas to serve London and other parts of England with Cod and Ling, for which Cod and Ling we can not rationally urge that they tooke less of us than 200,000 pounds in ready money whereas if ourselves were employed in ye fishing, no Treasure wd be transported for fish, but wd pass from one to another in our own Nation.

The Profit to be gained computed by stating gains derived from fish by Hollanders, etc.

1. By that of ye States in their customs wch is reported to be five hundred and ninety thousand pond, viz. 440,000 li. by herrings and 150,000 li. by cod and ling.

2. By that of the adventurers in their returnes wch is esteemeed to be three millions of pounds at home and five millions at foreign markets, and if we add thereto all ye fish taken by other neighbour nations on ye British coast all ye yeare long ye totall will evidently arrise to tenn millions of pounds.

3. By that of the Convoys in their pay ; while the warr continued between the Hollanders and their sovereign the Kinge of Spain, the Dunkirkers did so infest their fishermen that they were forced to hire men of warr to secure them in their fishing and in their passage to and fro, att the price of a Dollar uppon every Last, the Register whereof showed 300,000 lasts taken during that season of herring fishing.

4. By the great quantities sold at foreign markets and the great price, the quantity more than an hundred thousand lasts, with a greater proportion sold to fforeigners at home, besides what spent in the Belgick provinces and the price att fforeign marketts att least 16, but sometymes in some places 18, 20, 24, 30, 36 pounds the last.

BENEFITS.—In the Honour, Security and Strength, that will redound to this Nation thereby.

1. By restoring to our Countrey of Great Brittain the name & reputation of her own Comodities ; for that is one thing which renders a Nation renowned among Strangers, that it can furnish other parts of the world with any usefull commoditie. But

our Dutch neighbours deck themselves with our feathers and as our English Bayes transported white into Amsterdam, and there drogged and dyed, they sell by the name of Flemish Bayes, and sett their own town Seale on them, so the great staple ling taken indeed only by the Hollanders, but yet about the Islands of Scotland, Sheteland, Orkney, and wherewith they serve all Christendom, is called forsooth by the name of Holland ling.

2. By taking off that too true imputation of sloathfulness and improvidence from our nation, which hitherto hath had many thousand persons lay idle at home while strangers come from hundreds of leagues to our Coasts for imployment, and eithere sent away those commodities from us which God and Nature sent unto us, and laid at our doors, or if they sent them not away, they made us pay great rates for them, even for the fish of our own waters, though towards the takeing those fish we have all necessaris in as much more plenty as they have.

3. By securring our Rights from the incroachments of those who (if our gracious Sovereign had not interposed) wd not only have supplanted us in our foreign plantations, but probably also have catched our bordering seas from us as well as our fish as appears.

1. By their refusing, notwithstanding our late King's proclamation to that purpose, to ask leave when they came to fish in our seas, as they had ever done once by the yeare in former tyme at Scarborough; *secondly*, by their abusing us when they did come in our best and nearest fishing in the Yarmouth Road—pestering the narrow Seas with multitudes of Dutch Vessells and comonly ride at anchor in the midst of the shoals, gipping, dressing, and barrelling their herrings, which makes our English loose their tyme, for we cannot drive whilst they ride at anchor, but our netts will be spoyled and torn to peeces on the others cables.

Thirdly, by the Hollanders intitling themselves to a freedome on the British coasts, in calling their great fishing and catching of herrings (which they catch only in his Maties. Seas) the principall golden myne of the United Provinces, States Proclamation, 19th July, 1622.

Fourthly, by their late design of getting a patent to possess,

inhabit, and fortifie that excellent Island of Lewis in the Hebrides, under the first pretence of bringing commerce into those remote parts of Scotland.

Fifthly, by their having upon his Ma.'s seas 20 or 30 shippes of Warr under pretence of securing their fishermen, all which put together may give a just suspition of their further aims, when opportunity shall serve, wch yet if tymely looked into may be prevented and we secured by the increase of our fishing vessels in multitudes and magnitude and by keeping possession therewith on our own seas, limiting strangers to fewre numbers (especially shippes of war) and to payment of the tenth fish or some other tribute.

4. By adding such strength hereby to all our sea cost and consequently to the whole realm, as will make it easily defensible against any foreign powers, and yet withall by the great increase of our shipping and marriners enable us speedily to invade, offend and surprise our opposers though remote and at great distance, and will therefore also upon any occation of publique contracts render his Matie. more dreadfull to his enemies and helpfull to his friends and allies, which advantage is by knowing men accounted such a rare accomplishment of the grandure of a Prince and ye securrity of his subjects that it alone may well recompenes the whole charge of the undertaking, though all the fish they shall catch were thrown into the sea again, for it is not six hundred thousand pounds that will defray the charges of a warr, whereas such known power offensive and defensive of any kingdome would safely prevent it. But the fishing attaineth this and far sooner and better than shippes of warr and shippes of merchandise, which are thought to marr more seamen than they make, because the easie life of the seamen in the one makes them unwilling to return, and the hard service in the other when it happens takes them off by fighting. A fleet of Bushes is the best school from whence all other shippes may be furnished, in that they are best trained up and made acquainted with those places of danger which abound in our seas; there they may learne ye principles of navigation and pilotage, and to know the use of tackle and compasse, and in them especially (by reason of their dwelling upon the seas while their sett

tyme or full ladeing happen) they being able to indure hard labour and a rough sea without being thereat dismayd. This exercise therefore of the ffishery deserves above all others to be sett up and vigorously promoted in his Maties. dominions, as necessarily begetting store of shippes and stout marriners, in which principally consists ye strength and security of all Island Kingdomes.

THE CHARGES OF SETTING FORTH A FISHING FLEET.¹

The whole charge of the Fishery may be comprehended under these heads, preparatory, concomitant and subsequent charges.

The preparatory charges are of such things as must be made ready before the fishing begin, and consist in the providing

1. Of Docks, where Busses, Pinks, Wellboats and other shippes may be built and caulked.

2. Of Wharfes, where vessels may as soon as possible, be unladen by cranage, without the charge or trouble of carting.

3. Of Storehouses adjoyning to the Wharfes, with convenient lodging for the Wharfe-officers and their ffamilies, and sufficient yard-room for packing of Herrings, fflanning and drying of Netts, making of Ropes, etc. The Charge whereof may be more or lesse, as pleaseth the ffounder or ffounders to bestow upon them, to make them the more strong and commodious.

1. Shippes are more or lesse charged according to their different dimensions, but because those of 70 Tunns are by experienced men accounted a competent size, and lesser will not well abide the ordinary storms at sea, our Accounts shall goe only on vessells of that size, but such a one, with all her Roomes fitted up, and all her Iron Work, Masts, Sailes, Ropes, Cables, Anchor, Cockboat and Appertenants whereby shee is made ready to launch forth, will cost about - - - - - £403 10 0

2. The provisions for the Shippes are either common with other shippes, or proper to the Fishery.

Common provisions with other shippes are twofold, the more Lasting and the more Wasting.

¹ Sea Fisheries, Temp. Car. II. ; Additional MSS. British Museum.

The more lasting are fflaggs, Bucketts, Mapps, Compasses, Houre-Glasses, Lanthornes, Long-Oares, And in the Steward's Store, potts, panns, dishes, spoones, Gryd-Irons, Chafing dishes, Frying-pans, Trenchers, Candlesticke, also Saw, Hammers, Hatchete, Halfe-pikes, muskets, Cheste, Boxes, etc., which will cost about - - - - - £17 00 00

The more wasting are victuall, which for 15 persons in Biskett, Butter, Cheese, Oatmeale, pease, beer, Vinegar, etc., will cost per mensem £13 13/8, ffuell per mensem 16/-, candle 2/6, Physick, viz., aqua-vitae, Zant-Oyle, Sperma Caeti, Stonepitch, Honey, Sugar, Nutmeg, Ginger, Pepper, Balsome, Salves per mensem 14/-. Also powder, Bullets, Nayles, 3/-. In all per mensem, £15 9/2,—that is, for the six months or 24 weeks of herring fishing, £92 15. 00. for the 7 months or 28 weeks of Cod and Ling Fishing, £108 04. 02. for the whole year, with petty tally - - - - - £200 19 02

Proper provisions for the Fishery are such as are used only in the herring fishery, or only in the Cod and ling fishing, or in both.

Herring ffishing hath as peculiar to it.

Netts to each Busse at least ffifty, which with their Appertnants are worth - - - - - £238 02 06

Tools and Implements used in } £242 09 06
ordering of herring, worth - 04 07 00 }

Cod and Ling fishing require a distinct charge of Hookes 16/-, eight dozen of tanned lines £04 16. 00., Chopsticks £03 04. 00., Garfangle Hooks 16/-, Heading Knives, Splitting Knives, etc., 10/-, A Grindstone and Trough 5/-, Lamprills for bait, £02 10. 00., Basketts £01 10. 00.

In all - - - - - £14 10 00

Both fishings require Cask and Salt.

Cask at Herring Fishing,

Each Bush useth twelve hundred barreles, worth 75 00 00

At Cod Fishing each bushe may use 35 Lasts of Barrells, worth - - - - - 26 05 00

Casks - - - - - £101 05 00

SALT.—At Herring Fishing each Busse useth		
1200 Bushels, worth	- - - - -	£60 00 00
At Cod Fishing 15 weigh at 40/- p. weigh	-	30 00 00
And for Ling to be salted up in the Hold of the Ship, as much	- - - - -	30 00 00
		<hr/>
Salt -	- - - - -	£120 00 00

The Subsequent Charges may be understood of all that cost which must follow after the first setting out our fishing vessells, which consists in paying officers, building new ships and repaying and refurnishing the old.

1. In paying the persons employed in the fishery both at Sea and Land.

At Sea, where the Bussmen being 15 persons, their wages will be per Busse,

For the 6 months or 24 weeks of Herring ffishing season, about - - - - - £88 15 00

For the 7 months or 28 weeks of Cod and Ling fishing, about - - - - - £108 02 06

At Land, where Salaries for Generall Officers, Controller, Treasurer, Auditor and others, also for Wharfe-Masters, Registere, their Clerks, Under Clerks, Packers, Searchers, etc., may be yearly per Busse about - - - - - £41 03 06

Here wages and Salaryes are accounted as part of the Charge, which Charge is not necessary to the setting out of the Fishery, being never payd while the Returnes, which bring Commodity to pay it with, and so is not money out of purse, or any part of the Adventure.

2. In building new ffishing vessells every yeare more or lesse, as we can get Materiale by which we shall both encrease our Stock and supply the former Busses, as they shall grow uselesse, which may probably be in Twenty Years or Thereabouts.

3. In Repaying and Carining the old ones every yeare, and Refurnishing them with provisions, as formerly; howbeit this charge of building them, together with the Consumptive Charge of what is wasted in the use, and is yearly to be renewed,

as Victuall, ffuell, physick, Salt, Cask, etc., or worsted in the use, and is yearly to be repayred, as the Shipp, Tackling and other materialls, they are properly to be brought into the Account of the Second Yeares Ffishing.

In which Second Yeare and every yeare after, so long as the Busse shall last, the profite will be more, or the Charge the lesse, by how much repaying a Shipp will cost lesse money than building one. And thus by one vessell an estimate may be taken of the Charge of a whole ffishing Fleet, of what number soever it shall consist.

SMITH WATSON.

SIMON WATSON,

JOHN ALLINGTON, NEPHEW.

“ Some Proposalls for setting up of the Fishery humbly offered to the consideration of his Matie. and Councill: That they would be pleased to pitch upon either of them which in their wisdoms shall seeme the most probable for the managing of it to the best advantage for the King and his Dominions.”¹

1. By Giving leave to any of the people that will sett up a Busse joyntly or by themselves to imploy their own stores for their particular advantages. But how slowly this may proceed wee leave it to that experience which his Matie. hath had of it this Eight Yeares last past, and nothing done therein (if at all attempted). However, hereby we thinke many poore might be employed by Land, Marryners made thereby at Sea, and these men grow that Imploy them, with some advancement to the Kinges Customes by bringing Commodity to the Kingdome.

2. By his Maties. Incorporating the Merchants or some Company a Corporation thereunto; Though wee consider this a better way then the former for more speedier and effectually preferring of the same, yet the efforts will be like the former and sooner accomplished; But

3. The Interest of the King doth concern every particular person, his undertaking of it is for every man's advantage, whatsoever hee getts thereby saves the Nation so much in their purses, for if the king gaynes as much by this as will mainteyne

¹ Sea Fisheries, Temp. Car. II.; Additional MSS. British Museum.

his Crowne and Dignitie, without the Assistance of any parlyamentary taxes, hee may alleviate his Customes as low as any Nation whatsoever, which will bring the Trade of Holland into theis Kingdomes, Invite all ingenious Manufactors into the Nation, as well as win men into this Kingdome and the rest of his Matie. Dominions ; And also will preserve the peace of the Nation from being disturbed or violated more then private persons or Corporative bodyes will or can doe in their undertaking it, who may be apt upon all evill Instigations and discontente to strengthen either Domestick or foreigne Enemyes with their power both of shipping and marryners.

SMITH WATSON.

SIMON WATSON.

To the King and both Houses of Parlyament in Parlyament assembled.

THE PROPOSALL.

That an Act of Parlyament may pass for building and fitting out with expedition a Fleete of 500 Busses of about 70 Tunns Burthen apeece, To be employed in fishing for herrings, cod & ling in his Maties. Seas, and the profite to be disposed for the increasing of the said fishing vessells to the number of 2,000 or thereabouts as it will be thought necessary. And after the paying of publique debts and the defraying of all necessary charges, the propertie of the said Fleete to be settled in the Crowne.

ADVANTAGES.

A Fleet of Two Thousand Busses will imploy yearly at Sea at 15 men to a Busse 30,000 men, besides at least 30,000 men more at Land in the service of the Fleete. It will save the kingdome 300,000 thousand pounds paid yearly to the Dutch for fish taken by them in his Maties. Seas and sold to the English. The first year the said 2000 Busses sayle may, with God's blessing, defray the whole charge of building, Tackle, Victualling, fitting out, officers and seamens wages for that year, with an overplus of

£1,835,033 6. 8., and will every year, Communibus annis, as long as the fleete lasts, yield his Maty. the clear yearly proffitt of at least £2,642,033 6. 8. which is demonstrated as followeth :—
Fish usually taken in a Busse of 70 Tunns, Communibus annis, is at least

	li.
Herring, 100 last, worth at least	- 1000
Cod, 15,000, worth at least	- - 0450
Ling, 10,000, worth at least	- - 0800
	<hr/>
	£2250 00 00

The charge of a Busse 70 Tunns the first year (ready to be demonstrated) will not exceed

Building and fitting for sayle	- - -	£0403	10	00
Victualling and furnishing with Lasting and Wasting Commodities	- -	0695	18	08
Officers and seamens wages	- - -	0233	01	00
		£1332	09	08.

Profitt each Busse

£0917 10 04.

Which for 2000 Busses for the first year will be cleere proffitt
£1,835,033 06 08.

Proffitt of each Busse after the first year as aboue,

£2250 00 00.

Charges of fitting, victualling, Salleryes and wages,

£0928 19 08.

Profitt of each Busse,

£1321 00 04.

Which from 2000 Busses will amount to

£2,642,033 06 08.

This Fleete will be a nursery of seamen, no lesse necessary then usefull for asserting his Matie. Dominion of the Sea, and the right of the Crowne in regulating Trade against the Usurpations and Encroachments of the Dutch and French.

The Proffitts of this Fleete may ease the People of Taxes by freeing the Crown from the necessitie of them for support of the Government, and will improve the value of Land and the wealth

of the Nation by saving £300,000 now yearly exported by the Hollanders for fish bought of them, and by the importation of Coyne from abroad by vent of ffish taken and sold by his Matie. subjects. The Monopoly of ffish taken by the Hollanders being one mayne support of that Government.

As to men and materyalls for the Fleete there will be sufficient of both, unles money be wanting to carry on the Designe.

The interest of the king doth concerne every particular person, his undertaking of it for every man's advantage, whatsoever hee getts thereby saves the Nation so much in their purses, for if the King gaynes as much by this as will mainteyne his Crowne and Dignitie, hee may seldome desire the assistance of Parlyamentary Taxes. Hee may also alleviate his Customes as low as any nation whatsoever, which will bring the Trade of Holland into this kingdome and the rest of his Maties dominions, And also will preserve the peace of this Nation from being disturbed and violated more then private persons or Corporative Bodyes will or can doe in their undertaking of it, who may be apt upon all evill Instigatione and discontente to strengthen either Domestick or fforeigne Enemyes with their power both of Shipping and Marryners.

That money is wanting is the considerable objection, and the same that lay in Columbus way. And had it not been removed by supplyes of men, money, and shippes, Adventured by Spain upon farre lesse probable grounds of Advantage than here are proposed, It had lost to that Crowne, as it did to this and the French, the first discovery of the Mynes and the Indies. But this is addressed to your Matie. and your Parlyament for raising six hundred thousand pounds, whereof one hundred thousand pounds to be imployed for Docks, and for storehouses and wharffes adjoining one to the other, That the Goods may be conveyed from the Wharffes to the Storehouses without the charge of carting, which said summe will be demonstrated an ample fund to carry on and compleate this Designe worthy your encouragement and Reserved by Providence (after the weak Essayes of former tymes) to be perfected under the Auspicious Government of the best of Princes and Wisest of Parlyaments, who cannot want either power or will to compleat what appears

so clearely and eminently advantagious for the publique Good and Interest of the Kingdom ; And, in order to raise the Fund proposed and to secure the Employment of it, to the use it is designed for,

The Proposer is ready when commanded to demonstrate at large the facilitie of bringing this designe to effect, the probabilitie and greatness of its advantages when effected, and the necessitie of it in order to any considerable improvement of the wealth, strength, and honour of the Nation, and as to Objections hee doubts not but to cleere all can be made against it, Except that of the want of £600,000 to carry on the work ; Yet hee conceives hee had already removed this objection by having demonstrated the quicknes and probabilitie of the Returne of this Fund with so great an Encrease into the publique Coffers, and presentes that Demonstration to them who have power to give and lay out the money proposed ; But cannot lay it out to better advantage for improving their and their Posterityes safetie, honour and wealth then by bringing this Designe to perfection.

SMITH WATSON.

SIMON WATSON.

JOHN ALLINGTON.

INDEX.

- Aberdeen, 2, 28.
 Act—for erection of Fishing Companies (1661), 90.
 Alexander, Sir William, Secretary for Scotland, 35, 36, 41.
 Allington, John, 131.
 Alsatia, Margaret of, Countess of Flanders, 2.
 Ambassadors, from Dutch, 11, 12.
 Anchorage and Ground Leave, 39, 59.
 Anderson, Matthew, of Kirkcaldy, 92.
 Andrew, Sir Phineas, 90.
 Armament of English fishing vessels, 65, 66.
 Army, English, 2.
 Arundel and Surrey, Earl of, 60.
 Assize Herring, 7.
 Association for the Fishing (*temp.* Charles I.).
 Balance Sheet of, 69.
 Capital of, 55, 68, 71.
 Charter of, 48, 49, 50, 53.
 Commissioners for, 39, 40, 41, 42, 43, 44, 45.
 Complaint of, 60.
 Council of, 54, 55, 60, 61, 67, 68, 70, 83.
 Establishment of, 48.
 Failure of, 81, 82, 83, 84.
 in the Lewis, 55, 56, 57, 59, 60, 61, 62, 63, 64, 65, 81, 82.
 in North Sea, 65, 66, 67, 69.
 Privileges of, 49, 81, 83.
 Proposals concerning, 12, 31, 33, 36, 37, 38, 39.
 Proclamations concerning, 52, 62.
 Vessels of, 54, 55, 57, 58, 61, 64, 65, 66, 67, 68, 69, 71, 82.
 Ayr, 60.
 Bartholomew Tide, 25.
 Battle of the Herring, 2.
 Beukelsz, or Belkinson, William, 3.
 Biervliet, 3.
 Binning, Lord, 10, 20.
 Blake, Colonel, 85.
 Bohemia, Elizabeth of, 8, 76, 77.
 Boroughs, Sir John, 69.
 Boswel, John, of Kinghorn, 92.
 Boswell, Sir William, 77.
 Browne, 8.
 Burghs, Royal, of Scotland, 31, 32, 33, 38, 39, 42, 44, 45, 46, 51, 115.
 Buss, or Bush, 14, 27, 29, 38, 44, 46, 47, 52, 54, 57, 58, 65, 66, 68, 82, 92, 95, 100, 120, 123, 124, 125, 126, 129.
 Britain's Buss, 36 *n.*, 37 *n.*, 65.
 The Herring Busse Trade, 116 *n.*
 The Charge and Profit of one Busse, 95, 117.
 Directions for Building of, 116.
 Buxton, Captain William, 56.
 Capital of Association for Fishing, 55, 68, 71, 82.
 Carlton, Sir David, 7, 8, 10, 13.
The Charges of setting forth a Fishing Fleet, 96, 124.
 Charles I. (of England), 5, 24, 27, 29, 31, 32, 33, 40, 45, 47, 50, 51, 52, 53, 54, 60, 61, 62, 63, 69, 70, 71, 74, 76, 78, 80, 81, 83, 95.
 Charles II. (of England), 89, 90, 94, 97, 98, 100, 105, 109, 110, 114, 115.
 Charles V. (of Spain), 3.
 Charter of Association for Fishing, 48, 49, 50, 53.
 of Royal Fishery, 110.
 concerning Stornoway, 63.
 Civil War, 24, 84, 85.
 Cobb, William, 64.
 Cobbett, Colonel, 88.
 Cod, 25, 27, 29, 56, 117, 118, 119, 120, 121, 125, 128.
 Coke, Secretary, 25, 26, 29, 67.
 Collection for Royal Fishery, 98, 99, 102, 103, 104.
A Collection concerning the Royal Fishery, 113.
 College of the Herring Fishery, 13, 27, 28.

- Commissioners to treat with Dutch, 10.
 for Association for Fishing, 39, 40, 41, 42, 43, 44, 45.
 for the Customs, 111.
 Commonwealth, 25, 85, 97.
 Companies, Fishery. *See* Association for Fishing, Societies for Fishing, and Royal Fishery.
 Company of the Old Hans, 5.
 Muscovie, 30.
 Complaints by Scotch Fishermen, 6, 7, 10, 11, 12, 13, 17, 18, 19, 20, 21.
 Convention of Royal Burghs. *See* Burghs.
 Convoy, with Fishing vessels, 9, 10, 65, 75, 78, 86, 89, 106, 121, 133.
 Council of the Association for Fishing, 48, 55, 60, 61, 67, 68, 70, 83.
 of the Royal Fishery, 98.
 of State (Commonwealth), 88, 90.
 Crail, 61, 93.
 Cromwell, Oliver, 80, 85, 87.
 Danby, Earl of, 112.
 Danes, 10.
 Dantzic, 82.
 Deal Castle, 73.
 Deane, Colonel, 85.
 Declaration by James I. to Dutch, 11.
 Delft, 13.
 Deptford, 56, 100.
 De Ruyter, Admiral, 104.
 Desmarces, Sir Anthony, 102.
 De Tromp, Admiral, 80.
 De Witt, 82.
 Dogger Bank, 57.
Dominium Maris, 1, 6, 7, 18, 77, 86. *See also* Sovereignty of Sea.
 Downs, Battle of, 80.
 Duke, George, Secretary to Royal Fishery, 102, 103.
 Dunbar, 28.
 Dunfermline, Earl of, 20.
 Dunkirk, privateers from, 15, 65, 66, 67, 69, 72, 77, 79, 80, 82, 83, 89.
 Dutch fishers and fishermen, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 22, 30, 42, 44, 47, 58, 59, 65, 69, 70, 72, 73, 74, 75, 77, 78, 79, 86, 88, 94, 96, 97, 108, 117, 120, 122.
 Embassy, 11, 12.
 Fishery College, 13, 27, 28.
 in Channel, 88, 105.
 in Lewis, 6, 7, 27, 32, 86.
 in North Sea, 1, 2, 5, 6, 10, 13, 15, 16, 24, 25, 29, 64, 69, 70, 71, 74, 75, 78, 79, 80, 86, 89.
 Dutch, Republic, 4, 5, 6, 7, 67, 72, 76, 80, 87.
 in Shetland, 15, 16, 17, 18, 19, 20, 21, 22, 86.
 Wars, 23, 25, 85, 102, 104, 105, 106, 107, 109, 115.
 War vessels, 7, 66, 67, 74, 75, 86, 96, 106, 113, 133.
 East Coast fishing, 14, 15, 16, 27, 28, 29, 43, 57, 58, 65.
 Edinburgh, 7, 32, 33, 35, 42.
 Edward I., Proclamation by, 2.
 Edward III., Proclamation by, 4.
 Elizabeth of Bohemia, 8, 76, 77.
 Elizabeth of England, 6.
 Embassy, Dutch, 11, 12.
 Empire, Spanish, 4.
England's Way to win Wealth, 14.
 English Channel, 65.
 English fishers and fisheries, 11, 16, 25, 26, 28, 29, 30, 42, 47, 57, 58, 86, 88, 89, 95, 96, 97, 106, 120, 121, 123, 124.
 Equipment of fishing vessels, 66, 96, 125, 127.
 Estates, Lords of, 12, 35, 38, 40, 84, 85.
 Farthings, Coining of, 102.
 Fielding, Captain Richard, 78, 79.
 Fish-days, 91.
 Fishery Companies. *See* Association for Fishing, Royal Fishery, Society for Fishing.
 Fishery, The Royal Fishery. *See* Royal.
The Incomparable Benefitt of the Fishery in His Maties Seas, 120.
Some Proposals for setting up of the Fishery, 127.
 Fishing, Herring. *See* Herring.
 Land, Scotch, 38, 39.
 Reserved, 9, 41, 42, 43, 44, 45, 46, 49, 51, 52, 53.
 Fleet, *The Charges of setting forth a Fishing Fleet*, 124.
 Salmon, 26, 45.
 Fitton, Sir Edward, 4.
 Flanders, Countess of, 2.
 Flanders, 2, 4, 9, 71.
 Fleet in North Sea, English, 7, 71, 72, 73, 74, 75, 86, 88, 89.
 Flushing, 69.
 Fogg, Captain, 79.
 Forth, Firth of, 28.
 Freedom of Sea. *See* Mare Liberum.
 French, Treaty with, 9.

- Gentleman, Tobias, 14, 16.
 Greenland, Whale Fishing, 30, 90.
The Grievs and Wrongs of the Inhabitants of the Isles of Orkney and Shetland, 17, 18, 19, 20.
 Grotius, Hugh, 7, 70.
 Ground leave and anchorage, 59.
 Glasgow, Fishing Society at, 93.
 Glencairn, Earl of, 87.
- Hague, The, 8, 77.
 Halse, Sir Nicholas, 69.
 Hamburg, Fishers and Traders of, 17, 21, 92.
 Hamilton, Marquis of, 10, 41.
 Hans, Company of the old, 5.
 Harwich, 100, 103.
 Hay, Sir George, 10.
 Hay, John, Town Clerk of Edinburgh, 32, 41, 42, 62.
 Henry V., VI., and VII., 4.
 Henry IV. of France, 9.
 Henry, Prince, 8.
 Herring, Assize, 7
 Battle of the, 2.
 Buss. *See* Buss.
 Brand, 3.
 College of the Herring Fishing. *See* College.
 Cured, 2, 3, 4, 29, 30, 58, 82, 96, 98, 108, 109, 115, 120.
 Fishing, 14, 18, 19, 20, 26, 27, 28, 29, 36, 37, 56, 57, 58, 59, 60, 88, 94, 96, 117, 118, 119, 125, 126, 128.
 Highlanders, hostility of, 31, 61, 62, 63.
 Hitchcock, 14.
 Holland and Hollanders. *See* Dutch.
 Hollang ling, 16.
- Iceland, 25, 26, 89, 90, 95.
The Incomparable Benefitt of the Fishery in His Maties Seas, 120.
 Instructions to the Commissioners for the fishing, 41.
 Instructions to Sir William Alexander, 36, 37.
Interest of Holland, 82.
 Inveraray, 59.
 Inverness, 32.
 Ireland, 4, 5, 26, 30, 34, 39, 41, 108, 112.
 Irish Company, The, 26.
 Isle of Man, 58.
- James I. of England, 6, 7, 8, 10, 11, 12, 13, 24, 32.
 Declaration to Dutch, 11.
- Judges, of Association for Fishing, 48, 61.
- Kaken, 3.
 Kenning, A land, 10, 38, 42.
 King, Mr., 103, 104.
 Kinghorn, 92.
 Kintail, Mackenzies of, 32.
 Kirkealdy, Magistrates of, 93.
- L'Amey, Hugo of Mouhon, 84, 85.
 Laud, Archbishop, 76, 77.
 Lennox, Duke of, 7, 10, 12, 74.
 Lent, 16, 18, 81, 91.
 Lewis, Island of, 6, 7, 27, 31, 32, 33, 34, 37, 39, 42, 44, 50, 55, 56, 57, 60, 61, 62, 63, 64, 72, 81, 82, 88, 123.
 License to eat flesh, 91, 92.
 License to fish, 4, 5, 6, 8, 26, 72, 73, 74, 75, 76, 77, 78, 79, 80.
 to fish, Form of, 73.
 Lilburne, Colonel, 87, 88.
 Limit, fixed at 14 miles, 10, 43, 44, 45.
 28 miles, 6.
 Treaty concerning, 9.
 Encroachments on, 9, 10.
 Ling, 16, 25, 56, 115, 118, 119, 121, 126, 128.
 Linlithgow, Lord, 61.
 Liverpool, 58.
 London, 7, 11, 12, 26, 57, 104, 105, 109, 121.
 Lorne, Archibald, Lord of, 59.
 Lotteries, Standing, 83, 98, 102.
 Louis VII. of France, 2.
 XIV. of France, 106, 113.
 Lubeck, Traders of, 21, 92.
- Mackenzies of Kintail, 32.
 Mare Clausum, 7, 12.
Mare Clausum, 70, 76.
 Mare Liberum, 1, 7, 10, 77, 80.
Mare Liberum, 7, 70.
 Mary, Queen of England, 4.
 Mason, Captain John, 55, 56.
Memorandum concerning the fishing, 26 n.
 Middleton, Lieutenant-General, 87, 88.
A Modell of a Controll for the Royal Fishery, 95.
 Monk, General, 86.
 Montrose, 28.
 Moray Firth, 28, 42, 45.
 Morton, Earl of, 21, 41.
 Mull, Island of, 87.
 Murray, Gideon, 92.
 Muscovie Company, 30, 90.

- Naunton, Secretary, 13.
 Navigation Act, 108, 109.
 Netherlands. *See* Dutch.
 Newfoundland, 25.
 Nicholas, Edward, 55.
 North Sea, 1, 5, 6, 7, 13, 15, 16, 23, 24, 28, 65, 67, 69, 71, 73, 75, 76, 78, 79, 80, 85, 86, 89, 97, 106, 107, 115.
 Northumberland, Earl of, 72, 73, 74, 75, 78, 79, 80.
 Orange, Prince of, 8.
 Orkney, Earl of, 19.
 Orkney, Island of, 28, 39, 43, 46, 86, 88, 122.
Grievs and Wrongs of Inhabitants of, 17, 18, 19, 20.
 Ostend, Privateers from, 65, 66, 89.
 Ostend, 67.
 Paris, Treaty of, 4.
 Pamphleteers, 1, 6, 14, 25, 96, 97, 107, 108, 109.
 Patent for Royal Fishery, 112.
 Pembroke, Earl of, 68, 83, 99, 103, 104.
 Pennington, Captain Sir John, 68.
 Penzance, 30.
 Pepys, Samuel, 100, 101, 102, 103, 104, 105.
 Perth, 45.
 Petition by Association for Fishing, 60.
 Philip, of Spain, 4.
 Philp, James, 55.
 Physic and Surgery Helps, 66.
 Pickle for herring, 58.
 Pilchard fishing, 26, 30, 42.
 Plymouth, 30.
 Popham, Colonel, 85.
 Privateers, 15, 65, 66, 69, 81, 82, 86, 89.
 Privy Council of Scotland, 21, 32, 33, 35, 37, 40, 43, 44, 45, 48, 50, 51, 52, 59, 60, 61, 62, 63, 64, 72, 74, 92, 94.
 Proclamation by Edward I., 2.
 Edward III., 4.
 James I., 7, 10, 11.
 Privy Council, 52, 62, 63, 72.
 States-General, 11.
 establishing Association for Fishing, 52.
 for restraint of fishing without license, 72.
 concerning observance of Lent, 91, 92.
 regarding Lotteries, 102.
- Propositions for Fishing*, by Secretary Coke, 25.
Some Proposals for setting up of the Fishery, 127.
 Raleigh, 14.
Reasons why the English and Scots cannot join in ye fishing, 46.
 Republic, The Dutch. *See* Dutch.
 Reserved Fishings, 9, 41, 42, 43, 44, 45, 46, 49, 51, 52, 53.
 Ricaut, Peter, 83.
 Royal Fishery. *A Modell of a Controll for the Royal Fishery*, 95.
 Royal Fishery, The (*temp.* Charles, II.).
 Charter of, 100, 110.
 Collections for, 98, 99, 102, 103, 104.
 Council, Meetings of, 101, 104, 112.
 Effect of Dutch War upon, 105, 107.
 Foundation of, 98.
 Failure of, 107, 114, 115.
 Governor and Corporation of, 100, 101, 112.
 Privileges, etc., 98, 99, 100, 112, 113.
 Report of Commissioners for Customs on, 111.
 Revival of, 110.
 Simon Smith, Agent for, 57, 58, 82, 90.
 Subsidies, etc., for, 102, 103, 104, 105, 113.
 vessels of, 100, 107, 112, 113, 114.
 warrant for, 110 *n.*, 111 *n.*
The Royal Fishing Revived, 108.
 Royal Oak, Lottery of, 98.
 Royalists, Scottish, 87, 88.
 Rupert, Prince, 86.
 Salmon Fishing, 26, 45, 49.
 Scarborough Castle, 5.
 Scotch Fisheries and Fishermen, 6, 7, 10, 11, 12, 13, 17, 18, 19, 20, 21, 22, 27, 28, 29, 38, 39, 41, 42, 43, 44, 45, 46, 47, 57, 58, 84, 85, 90, 97.
 Seaforth, Earl of, 32, 34, 37, 55, 56, 62, 63, 64, 87.
 Selden, *Mare Clausum*, 70, 76.
 Shetland, 15, 16, 17, 18, 19, 20, 21, 22, 28, 39, 42, 44, 46, 50, 57, 86, 88, 92, 100, 122.
Grievs and Wrongs of Inhabitants of, 17, 18, 19, 20.
 Supplication on behalf of, 21.

- Smith, Simon, Agent for Royal Fishery, 57, 58, 82, 90.
- Society for the Fishing in Scotland (*temp.* Charles II.).
dissolution of, 115.
foundation of, 90, 91, 92.
privileges, etc., of, 91.
supplication on behalf of, 93.
- Sovereignty of the Sea, 4, 6, 7, 24, 70, 72, 76, 77, 80, 86.
- Sovereignty of the British Seas*, 69.
A Collection of divers particulars touching the King's Dominion and Sovereignty in ye Fishing, 4 n.
- Spain, 4, 5, 6, 69, 76, 77, 80, 89, 113, 130.
- Spitzbergen, 7.
- States-General, 8, 11, 12, 42, 87.
- Stormoway, 32, 55, 61, 63, 88.
- Styles, Captain, 68.
- Supplication on behalf of inhabitants of Shetland, 21.
- Tain, 32.
- Tax on Dutch Fishermen, 7, 8. *See also* License to Fish.
on herring, 115.
- Treaty between Charles of Burgundy and Henry VIII., 8.
between Philip of Burgundy and Henry VIII., 8.
with Henry IV. of France, 8.
of Paris, 4.
- Treaty, secret, with Spain, 77.
of Westminster, 88.
- United Netherlands. *See* Dutch Republic.
- Van Dorp, Admiral, 75, 76.
Virginia Company, 83.
- Warrant, for Charter of Royal Fishery, 110, 111.
- War, Civil, 24, 84.
- Wars, Dutch, 23, 25, 85, 102, 104, 105, 106, 109, 115.
- Wages, of Fishermen, 96, 118, 126, 129.
- Watson, Smith, 95, 128.
Simon, 95, 128.
- Weapons, for fishing vessel, 65, 66.
- West Coast fishing, Scotland, 13, 25, 27, 31, 39, 44, 51, 52, 58, 59, 60, 65.
- Westminster, Treaty of, 88.
- Weston, Lord Treasurer, 55.
- Whale Fishing, Greenland, 30, 90.
Spitzbergen, 7.
- Windebank, Secretary, 78, 79, 80.
- Worsley, Dr. Benjamin, 94, 95.
- Yarmouth, 2, 15, 16, 25, 26, 29, 57, 58, 66, 86, 88, 106, 107, 122.
- York, James, Duke of, 98, 100, 112, 114.
- Zealand, 2, 3.

THIS BOOK IS DUE ON THE LAST DATE
STAMPED BELOW

AN INITIAL FINE OF 25 CENTS
WILL BE ASSESSED FOR FAILURE TO RETURN
THIS BOOK ON THE DATE DUE. THE PENALTY
WILL INCREASE TO 50 CENTS ON THE FOURTH
DAY AND TO \$1.00 ON THE SEVENTH DAY
OVERDUE.

ICLF (N)
LIBRARY USE

14 DAY USE
RETURN TO DESK FROM WHICH BORROWED
LOAN DEPT.

RENEWALS ONLY—TEL. NO. 642-3405

This book is due on the last date stamped below, or
on the date to which renewed.
Renewed books are subject to immediate recall.

OCT 26 1970 62

REC'D LD JUN 5 72-5 PM 64

RECEIVED

JUL 24 1986

CIRCULATION DEPT.

JUN 28 1972 20

APR 12 1986

vc. 19758

GENERAL LIBRARY - U.C. BERKELEY



8000911608

2A5
E 4

279209

Elden

UNIVERSITY OF CALIFORNIA LIBRARY

